California Journal

A MONTHLY DIGEST OF STATE GOVERNMENT AND POLITICS

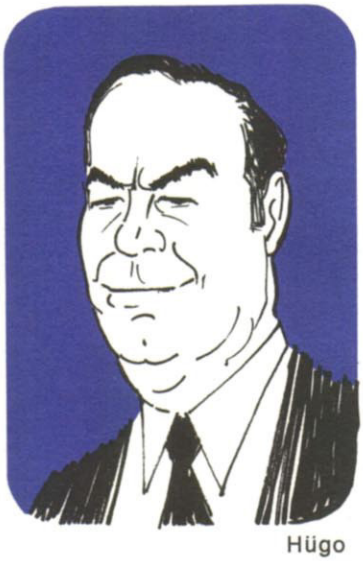
California's Legislative Staff

Justice Department Reorganizes

Juvenile Court Reform Pursued

Legislature Leans on the PUC

PUC President Defends Changes



Hügo

Evelle Younger Talks About His Office and His Plans

April 1971 in Review

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Editor's Note

The lead story this month details the origin and development of the staff structure of the California Legislature and describes the tasks performed by the specialized staff agencies and consultants and the way they carry out those tasks.

Newcomers to the legislative halls are usually surprised and often bewildered by the array of staff services available to California's lawmakers. As former participants in various capacities with the Legislature, the senior editors by *California Journal*, have had first hand knowledge of the workings of the staff, its effectiveness and its shortcomings.

The performance of the legislative staff in the decision-making process has been subject to both high praise and severe criticism. But in either case knowledgeable observers agree that it plays a prominent role in the determinations which the Legislature makes each year. When the 1971 Legislature decides — or decides not to decide — on the terms of the tax, welfare and reapportionment bills, staff men specializing in those subject areas will play an important role in how these decisions will be made.

Extensive research was necessary to collect the data for this article, and many people helped. We appreciate the time and advice John Williamson of the Senate Rules Committee staff and Lou Angelo and Fred Taugher of Assembly Rules Committee staff gave us to help assure the accuracy of our facts and interpretation.

Information concerning legislative expenditures and salary information is a matter of public record and available to the public in the Office of the Controller, far more readily accessible than is generally known. Notwithstanding the fact that the public's right to the information is well established, we were especially appreciative of the patience and cooperation of Ted Mandalla, the Legislative Accounting Officer, who, although he is housed in the Controller's Office, is paid by the Legislature. The format of the documents and the physical arrangement of his office made such assistance quite inconvenient, but Mr. Mandalla made our information gathering as painless as possible.

* * *

Anne Rudin has generously served on the *Journal* Advisory Committee since our founding. This month, her term of office as State President of the League of Women Voters expired. We thank her for all her assistance during this time and wish her well as she recuperates from her two years running the League.

* * *

Lou Cannon was in Vietnam most of this month. His Letter from Washington will resume next month.

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Legislative Staff of 1500 Provides Administrative Support and Professional Aid to Lawmakers

The greenest California state legislator, from his first day in Sacramento, has an array of staff services available to him that is the envy of the most senior members of other state legislatures. With 1500 consultants, secretaries, administrative assistants, field representatives, analysts, attorneys, accountants, clerks, researchers, coordinators, sergeants-at-arms, and messengers receiving a total of $14.5 million a year, California unquestionably has the best staffed state legislature in the nation.

To begin with, each Senator and Assemblyman is provided an office with year-round secretarial and professional staff in his district and in Sacramento. When in Sacramento he may also call on an extensive nonpartisan committee staff, expert in the areas of the Legislature's concerns, for information on legislation he is considering. He may call on special fiscal experts to assess the financial aspects of the proposals. He has a staff of attorneys at his disposal to advise him on existing state laws and to draft his proposals into bills. There is partisan staff to assist him in the political aspects of legislation and even to provide campaign advice. There is a research office to handle spot research problems for him and, from time to time, to develop major legislative programs at his request. There are people to drive him to the airport, move his furniture, carry his messages and guide his constituents around the capitol, and there is even a person to help him prepare television and radio presentations.

Legislative Staff and Salary Budget

	Total Number	Professionals	Estimated 1970-71 Budget
Assembly	767	217	$6,000,000
Senate	450	135	4,600,000
Joint Committees			
Legislative Analyst	63	49	1,004,600
Auditor General	45	41	680,000
All Others	46	16	549,000
Legislative Counsel	125	51	1,644,000
TOTALS	1,496	509	$14,477,600

Sometimes this complex system of staff services coalesces to produce the remarkable breakthroughs in legislative problem solving which have earned California its reputation as the best state legislature in the country. More often it doesn't. But even when it is least effective, the staff is central to the operation of the California Legislature and the legislative process. Staff is an important component of an effective legislature because it can provide the independent capacity for innovative problem solving as well as intelligent evaluation of executive branch proposals. Staff provides the manpower and expertise to blend conflicting interest group pressures to best serve the people in California. Moreover, a few staff aides are among the most powerful men in state government and politics, with important roles in controlling access to the elected representatives and in determining the outcome of major legislative issues.

First Staff Services

Although it is only in the last decade that professional legislative staff reached its present scope and depth, the roots of the modern staff system go back to the beginning of this century.

As early as 1895, the Legislature recognized the need for expert legal advice and created a Commission for the Revision and Reform of the Law and directed the commissioners to attend sessions and to act as "legislative counsel or advisor in drafting or passing upon the form of any bill or proposed bill, pending or to be introduced before the Legislature." The commission became a regular part of the staff 18 years later when, during Governor Hiram Johnson's first term, the 1913 Legislature created the Legislative Counsel Bureau to deal systematically with the great volume of legislation which the Progressives were intent upon enacting.

The Counsel Bureau is under the civil service system and includes only three exempt positions, the Legislative Counsel and two deputies. The Legislative Counsel is appointed by concurrent resolution early in each session and, by law, he must be selected without reference to political party affiliation and solely upon the ground of fitness to perform the duties of his office.

The joint rules of the Legislature require all proposed legislation to be submitted to the Legislative Counsel before being introduced. The office processes more than 10,000 bill requests annually, and is frequently under great pressure as the bill introduction deadline approaches and in the closing hours of the session as amendments pour in. The Legislative Coun-

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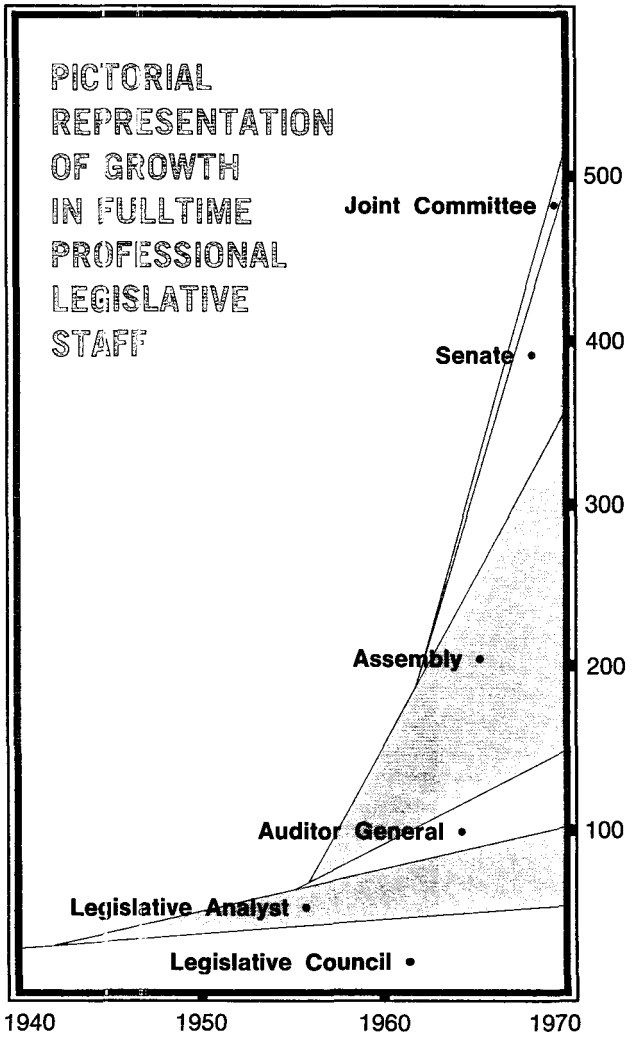
sel also represents legislators and the Legislature in legal proceedings. Since 1927, more and more use has been made of the office for preparation of opinions concerning legislative problems. In addition, since 1959, the office has prepared a digest of each measure which is printed at the bottom of the first page of the bill.

The Legislative Counsel Bureau has a total staff of 125, of which 51 are attorneys and 10 are indexers who prepare cross-referenced indexes to the thousands of bills. George Murphy, who has served as Legislative Counsel since 1964, receives $35,000 per year, and his chief deputy, Bernard Czesla, receives $28,920 per year.

Legislative Analyst

During the 1930's, the Legislature began to express concern that the Governor possessed a large and experienced budget and audit staff, while the Legislature had no such assistance to carry out its function of reviewing executive proposals. Attempts to create a staff for this purpose paralleled a period of increasing hostility between Governor Culbert L. Olson and the Legislature, and culminated in 1941, when a bill providing for an independent fiscal office directly responsible to the Legislature was approved by both houses, only to be vetoed by Olson on the recommendation of his Department of Finance.



The Legislature immediately reacted by creating the Joint Legislative Budget Committee to employ a staff responsible only to the Legislature. The committee was founded October 4, 1941, and four days later a Legislative Auditor was selected to direct a small fiscal analysis staff. Continuity of the Joint Legislative Budget Committee was maintained by reaffirmation of the joint rule until 1951, when the Legislature passed and Governor Warren approved a statutory basis for both the committee and the office. In 1957 the title of the position was changed to Legislative Analyst.

The Legislative Analyst maintains close liaison with the Department of Finance during the last phases of its preparation of the Governor's budget as he and his staff prepare the annual *Analysis of the Budget Bill.* This document serves as the principal source of recommendations for the fiscal committees of each house as they undertake their three-month review of the Governor's proposed budget.

The Analyst's office also undertakes research studies on a wide variety of subjects for individual members and committees of the two houses. These studies normally focus on fiscal issues. Generally, there has been greater reliance on this office for policy research by the Senate than by the Assembly.

The Legislative Analyst is A. Alan Post (see interview, *California Journal,* May 1970), who has earned wide respect for his critical, non-partisan appraisals of the governor's budgets. His office has 50 budget analysts and a total staff of 63. Post, whose salary is now maintained at the same level as that of the Director of Finance, receives $35,000 per year. His top aide, Gilbert Lentz, receives $30,276 per year, and two other top deputies each receive $26,148.

The Analyst's office is technically in charge of the work of Bill Lipman, who represents the Legislature in Washington and keeps it apprised of developments there that may affect California. In practice Lipman is responsible to the Speaker and the President pro Tem. A top Department of Finance aide when Edmund G. Brown was Governor, Lipman receives $27,564 per year.

Auditor General

The third staff agency created to serve the Legislature is the Office of the Auditor General, which was established by statute in 1955 to provide independent post-audits of state agencies to assure the Legislature that funds are spent according to law and for the purposes for which they are appropriated. The Auditor General is appointed by and responsible to the Joint Legislative Audit Committee.

William H. Merrifield, the Auditor General, receives $35,000 per year and supervises six full-time auditors and a part-time staff equivalent to 41 full-time positions. His deputy, John W. Shoemaker, receives $30,276 per year.

(Continued on next page)

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SALARIES

Surprisingly, the staff which the Legislature provides its leadership and committees, although certainly the most extensive of any state in the nation and, at least at the top levels, as well qualified as any, is not the best paid.

In all, the Assembly has 43 employees earning $18,000 or more per year and the Senate has 17 (not counting a few on district office staff who earn that amount). Although the Assembly has a greater number of top-bracket staff, the Senate has the highest paid individual employees. Not counting the top positions in the offices of the Legislative Analyst, Auditor General and Legislative Counsel, the top legislative salary goes to Ronald Cox, Director of the Senate Office of Research, who gets $28,680 per year. Second place belongs to Richard Lazansky, finance consultant in the Senate Office of Research, who receives $25,200 per year.

Then comes Hal Winkler, consultant in the Senate Office of Research at $24,840, closely followed by John Williamson, the Senate Rules Committee Executive Officer and Chief Consultant, at $24,675. Arnold Gilbert, Senate Repulican Caucus Coordinator, receives $24,840 per year, and Charles Aubrey, computer consultant for the Senate, receives $24,000 per year. Louis J. Angelo, Chief Administrative Office of the Assembly, receives $24,000 per year, and David Doerr, the Assembly Revenue and Taxation consultant gets $23,400 per year.

Compared to the salaries paid for staff positions of comparable competence in other governmental bodies, these salaries are not particularly high. In the executive branch in California, nearly a thousand officials receive salaries of $25,000 or more, and some 5000 employees are in salary ranges which reach the $18,000 a year level. Presumably it is with the $25,000 and over deputy directors of the various state agencies that the legislative staff is competing for information and ideas.

The New York State Assembly pays its top aides more than most staff receive here. In New York, the Secretary to the Ways and Means Committee receives over $35,000 a year (the comparable person in the California Assembly may be Phil Isenberg, who receives $21,000, and in the Senate, Robert Hampton, who receives $20,640). At least five other staff receive over $24,000 per year in the New York Assembly alone.

In Congress, top salaries go much higher, and there are many of them. Harold H. Griffin who received $22,800 last year as coordinator of the Assembly Ways and Means Committee and was recently reduced to $20,400 when he went to the minority Ways and Means staff, was just appointed Minority Staff Director of the U.S. Congress' House Appropriations Committee at a salary of $27,600 per year. In all, there are 38 clerks for that committee alone, most of them earning $20,000 or more per year and at least nine of whom receive over $30,000 per year.

STAFFING *(Continued from previous page)*

Although the existence of legal, fiscal and audit experts gave the Legislature the basic tools for handling its duties, it has been the emergence and rapid growth of full-time professional staff for policy research that has gained the greatest attention in recent years. And it is Jesse M. Unruh who is rightly credited with spearheading in the Assembly the drive to make the California Legislature the best staffed in the nation. From his first election as Speaker of the Assembly in 1961, Unruh was insistent on the Legislature's need to provide itself with a strong, independent staff, and he ushered in a staff build-up which continues even now. Prior to Unruh's accession, however, there had been a rudimentary professional committee and personal staff system.

Committee Staff

Before the dawn of the "Unruh era"' Legislative committees hired consultants to conduct studies only during the interims between the biennial sessions. The general pattern before 1959 was for committees to be given a budget for the interim which the chairman would use to hire someone he knew who was more or less qualified in the committee's subject. The consultant was responsible to the chairman, not to the committee, and the job ended with the beginning of the new session. Occasionally, a consultant would be able to make something of a career out of these consultantships, taking a break for three to six months every two years, and then assuming the same or a new consultantship. However, this was the exception rather than the rule and depended upon the friendship with interim committee chairmen.

It is difficult to pinpoint when it was that the emphasis began to shift from predominantly patronage appointments to a greater concern for subject matter professionalism. However, the first steps probably came in 1954-55 when, for the first time, a few committee and leadership staff people were employed for the full year rather than just for the session (secretarial and clerical) or for the interim (committee consultants).

The biggest departure in developing committee staff came in 1957 during the Speakership of Luther Lincoln with the launching by the Assembly of the Legislative Internship Program. This program, which was begun with matching funds from the Ford Foundation and is now supported entirely from State funds, has produced, over the years, dozens of graduates who have joined the Assembly and Senate staff. The early committee staff was, in fact, drawn in large part from the internship program.

When Ralph Brown became Speaker in 1959, he authorized year-round staff for the major Assembly committees. By the time Unruh was elected Speaker in 1961, every major committee had one consultant, and by 1963, at Unruh's urging, every committee had a consultant and a few had more than one. Meanwhile the Senate, although choosing not to participate in the internship program, was pursuing a similar course at a slower pace.

Research Offices

In 1962, the Assembly established a Legislative Reference Service headed by a director responsible to the Rules Committee. Prior to that time the State

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WOMEN AND MINORITIES

Despite consistent effort on the part of the Assembly over the last few years to recruit, hire and retain minorities in professional positions, only 12 out of 131 professional committee and leadership staff positions in the Capitol are filled by members of minority racial and ethnic groups. On the Senate side only three positions out of a professional staff of 55 are filled by minorities. The Assembly launched a renewed drive in January to recruit minority-group staff for the Caiptol and managed to hire 25, but only seven are professionals.

In fairness it must be pointed out that the legislative staffing system itself tends to make it difficult to hire minority professionals who, with the kind of education and experience that the Legislature wants, can command far higher salaries in a job market which currently puts a premium on skilled minority professionals. Moreover, district office staff is about as well integrated as the legislative membership, of which 10 or 11 out of 120 are from minority groups.

Both the Senate and Assembly have employed female committee consultants in the past, but then and now the total number of women in non-secretarial positions has been small. Complicating the assessment of female employment positions in the Legislature, however, is the fact that secretarial and clerical salaries sometimes are quite high, and responsibilities often correspond to the salaries. There are at least three "secretaries" in the Senate who earns $12,000-a-year or more, one of whom is, in effect, the personnel officer of the Senate. In the Assembly, there are at least ten women who earn over $11,100 per year in executive secretary positions.

Right now the Senate has four women in professional consultant-level positions out of 55. Nancy Bradley, senior consultant to the Senate Elections and Reapportionment Committee is the top-paid woman on the Legislature's staff with a salary of $15,360 per year.

The Assembly employs women in 16 of its 131 professional positions, including seven who are on committee staffs. Joan Reid, Assistant Director of the Assembly Office of Research, and Jerry Farris, Executive Assistant to the Revenue & Taxation Committee, are the highest paid women on the Assembly staff, each receiving $14,400 per year.

In some instances, salaries for women professionals appear to be lower than those for men holding comparable positions. For example, every consultant with comparable seniority earns more than the two highest paid women on the Assembly staff.

WOMEN & MINORITIES IN PROFESSIONAL POSITIONS

	Total Capitol Staff Professionals	Women	Minorities
Assembly	131	16	12
Senate	55	4	3
Joint (includes Counsel, Analyst & Auditor)	157	10	3

Library had provided library reference services in the building. The new service went beyond the library functions, however, by providing a supplementary research capacity used extensively by legislators, particularly for personal projects outside the scope of investigative studies undertaken by the committees and other staff.

In 1964, in an attempt to centralize coordination and direction of committee staff work, the Assembly created the position of Chief Consultant to the Assembly and authorized the recruitment of senior consultants in addition to the committee staff structure to provide improved research services. When this structure did not prove to be satisfactory, the Legislative Reference Service and the Chief Consultant's Office were combined and reorganized into the Assembly Office of Research with an 18-man staff. The functions of this staff are to provide research and reference services for individual legislators and major policy research projects for the committees and the legislative leadership.

The Senate organized a central services unit in 1967 under Frank Mesple, who had been Governor Brown's Legislative Secretary. Mesple was appointed as Coordinator of Consulting Services to oversee the committee consultants, several of whom were still responsible for more than one committee, as well as a small staff that was available for assignment as Senate workload required.

In 1969, a small Senate Office of Research was organized to give the Senate staff greater depth and continuity. The status of this office has remained uncertain, however, as each of the four Presidents pro Tempore in less than three years has viewed the role of such an office differently. Presently the office is headed by Ronald Cox and has a staff of 4 professionals.

Personal Staff

By 1963, all senators and assemblymen were authorized district offices with professional and secretarial staff. Although the Assembly has been the leader in staffing committees, the Senate has emphasized staff for individual legislators and has outdone the Assembly in the number of staff aides assigned to individual members and the salary paid them. In part, this is due to the fact that senators have districts twice as large as assemblymen, and in part it reflects the Senate's greater emphasis on the equality of all members, as compared to the Assembly's greater emphasis on leadership.

In the Assembly each member is entitled to a secretary and an administrative assistant in salary range of $9,600 to $14,400 per year. In a few cases exceptions are more and additional staff and offices are assigned because of the large size or great diversity of a district.

In the Senate, the extent of personal staff is determined on an individual basis. Each senator is entitled to two administrative assistants or field representatives, whose salaries range as high as $18,600 per year, and two secretaries for the district office. Additional offices and staff are common, however. Most

(Continued on page 114)

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Attorney General Younger Gives New Direction to Justice Department

After four months in office, California's 25th Attorney General, Evelle J. Younger, has begun to give shape to his administration and to project his own style. Traditionally, any new regime reorganizes its office, and the first Republican Attorney General in twenty years is no exception. Younger is changing the organizational structure of the Department of Justice, which he heads, creating new departmental priorities, and beginning to take a much more active role proposing and supporting new legislation than his predecessor.

As chief law officer of the state, Younger feels his office has responsibilities which touch every aspect of the lives of the state's citizens. "Just about everything a citizen does in this state — the roads he drives on, the beaches he uses, the food he buys, the buildings he builds, or the home he lives in — somehow is related at some point to a responsibility of the legal staff of this office," Younger says.

Younger began his law enforcement career as an FBI agent in 1940. In World War II he served in the U.S. Army in the Counter Intelligence Corps. He was admitted to the State Bar in 1946, and became Deputy City Attorney in Los Angeles in 1947, and later City Prosecutor for Pasadena. His judicial service began in 1953, when he was appointed by U.S. Supreme Court Chief Justice Earl Warren to the Municipal Court of Los Angeles. Later, Younger served six years as judge of the superior court. He left the bench in 1964 when he was elected District Attorney of Los Angeles. While District Attorney, Younger was appointed chairman of President Nixon's task force on Crime and Law Enforcement. In January 1971, Younger assumed the duties of Attorney General, having edged out his Democratic opponent, Charles O'Brien, by 91,600 votes the previous November.

Reorganization

Younger's plan for reorganizing the Department of Justice, which he says will give greater emphasis to consumer fraud, environmental protection, and court reform, involves the reshaping of an agency which has a staff of 1,690 and, in 1970-71, a $82,382,740 budget. Younger has reorganized the department from two into four divisions: the Civil Law, Criminal Law, Criminal Investigation and Information, and Special Operations Divisions. To assist him in administering the department he has an appointed staff of eight headed by Democrat Charles Barrett, a career civil servant, who is serving as Younger's chief deputy.

The Civil Law Division is concerned with all civil law activities affecting state government. It is divided into several sections (torts, public welfare, business and government law, public licensing, and tax law), all providing legal and investigative services to state officers and agencies.

The Criminal Law Division represents the state in all criminal writs and appeals before the Appellate and Supreme Courts. This section also assists the Governor's office in extradition matters, and provides advice to district attorneys in criminal law cases.

Nine Million Fingerprints

The Division of Criminal Investigation and Information is made up of several technical sections concerned with aiding local law enforcement agencies in the apprehension of criminals. In its identification and information unit, the department maintains the largest civilian collection of files and fingerprints outside Washington, D.C.: 4.5 million criminal history files, 9 million fingerprints (38 percent are non-criminal job applicant fingerprints) and 11 million name cards. It is now involved in a program of computerizing these files to provide more efficient service to local law enforcement agencies. The program, called the Criminal Justice Information System, has already computerized the stolen property, wanted persons, and gun files and ultimately is to absorb all state criminal history records. To pass this information and information contained in FBI files to local law enforcement officers, the Department has created a telecommunication system which ties in the majority of police departments in California.

In addition, the division has an investigation unit which trains special agents for state investigations and provides criminal laboratory and photographic services to local law enforcement agencies. It also houses the Bureau of Narcotic Enforcement, which has the function of combatting the illegal sale and use of narcotics. Finally, with federal financial support, the Division of Criminal Investigation and Information has a new program to train special agents to investigate organized crime.

Special Operations, the fourth division, is a Younger creation which includes services not directly related to civil or criminal law. Under this division, Younger has placed his legislative advisory service, recruiting operations, research projects, charitable trust register, and his newly-created task forces on consumer fraud and environmental protection.

Along with these four divisions Younger appointed, in January 1971, a temporary task force on gambling which is to review the law enforcement arguments for and against the legalization of gambling. Other special activities include a one-man bureau in Los Angeles which runs an anti-crime educational program.

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Legislative Program

Reflecting his concern for court reform, Younger has developed a five-bill legislative package to make several important changes in court procedures. In a recent speech, "Crisis in our Criminal Courts," Younger cited what he termed a breakdown of the court system and a resulting loss of public confidence as his reasons for initiating court reform legislation.

One of his bills is SB 839, carried by Senator Gordon Cologne. This bill proposes to make it mandatory for a defendant in a felony case to be represented by counsel, thus prohibiting the defendant from defending himself. The reasoning behind the bill, which will also require an amendment to the state constitution, is to guard against unfair trials and possible appellate court reversals because of incompetent defense.

A second bill, SB 629, which Senator Cologne is also carrying for the Attorney General, requires certification of all attorneys who are to handle capital cases. Like SB 839, this proposal attempts to reduce delays by avoiding appellate court reversals due to incompetent representation, and it is also intended to speed up the original trials. The bill provides that the State Bar shall be the certifying agency according to standards set forth in the law. Younger has also proposed that incompetent lawyers be subject to disbarment, or suspension by the State Bar.

A third measure, SB 676 (Lagomarsino), provides that prospective jurors be examined for selection by a judge or a commissioner, as in the federal courts, rather than by the opposing attorneys in each case. Younger believes that the state courts, by adopting the federal system, will be saved much time by eliminating the tedious examination of jurors by attorneys whose only purpose is to obtain jurors favorable to their cause, rather than impartial jurors.

Finally, Younger has introduced a bill, SB 677 (Lagomarsino), to restrict pretrial appellate review by extraordinary writs. Younger feels that the use of application for extraordinary writs has been abused in the past by defendants who seek only to delay the start of their trials. The Attorney General proposes that these writs be permitted only on a restricted basis, and that all motions for pretrial review be submitted within a prescribed time limit.

Opposing Views

Although Younger has stated that these proposals are largely non-controversial, legal experts have criticized several of his bills. Professor John W. Poulos of the University of California, Davis, Law School, has stated that some of Younger's proposals may create more rather than less bureaucracy and inefficiency in the courts and will therefore negate their main purpose, which is to make the system more effective. Poulos says, for example, that the bill which requires lawyers to be certified by the State Bar in capital cases purports to avoid reversals based on inadequate representation or defense by shifting responsibility to the State Bar, but in actuality the bill may only create one more bureaucratic channel and may also work against a defendant's right to have any counsel he chooses. Poulos also believes that the certification process may boil down to a game of politics in which the State Bar can discredit anyone it chooses.

Similarly, Poulos criticizes the proposal to adopt the federal system of jury selection. "Before restricting a counsel's right to examination," he says, "the whole jury selection process should be investigated so that California can adopt the total federal system and not just fragments of it." Presently, he says, California juries are selected on the basis of property tax records and voter registration, with many loopholes for avoiding jury duty, making it difficult to have a truly representative jury. Therefore, Poulos argues, before examination by counsel is eliminated there must be legislation that ensures a truly random system of juror selection.

Younger has also announced his support for a number of bills in the fields of environmental protection, noise pollution and consumer fraud which have been introduced by various Democratic and Republican legislators. Among these are SB 678 (Lagomarsino), which strengthens the Attorney General's powers to take legal action for environmental protection; AB 1043-1046 (Schabarum), to reduce motor vehicle noise levels; SB 556 (Alquist), to require hearings on the environmental impact of airport expansion before any such expansion is approved; and several consumer protection measures, SB 51 (Beilenson), AB 289 (Fenton), AB 236 (MacDonald), and SB 233 (Beilenson), to regulate automobile repair shops, restrict door-to-door sales procedures, and tighten safeguards against automobile mileage deception.

Other Duties

In addition to his other duties as Attorney General, Younger is responsible for supervising California's district attorneys and sheriffs. To meet his supervisory duties and to keep in contact with local law enforcement needs, Younger holds frequent meetings with district attorneys and sheriffs and divides his time among the four legal offices of the Department of Justice in Sacramento, San Francisco, Los Angeles, and San Diego.

Along with his legal duties, the Attorney General serves on the Peace Officer Standards and Training Commission (POST), an agency designed to set statewide standards for peace officer hiring and training, and is chairman of the California Council on Criminal Justice, a state agency which administers federal grants for a variety of criminal justice activities. (See *California Journal,* March 1971, page 64). The Attorney General also serves on the Commission of Judicial Qualifications, the Commission on Voting Machines, and the California Emergency Council.

Future Plans

Younger obviously likes his new job and intends to give it his full attention, doing the best job he can with the resources at his command. But it is just as clear that he is fully aware of the political potential of his post and that he intends to be highly visible throughout his term of office. Several of his initial actions, such as the creation of environmental and consumer protection task forces in each of the state's largest cities, not only represent imaginative ways of carrying out his current duties but also suggest longer-range planning to establish a statewide political base. Younger knows as well as his predecessors that the job of Attorney General is one of the few in the state which offer the chance to gain widespread public recognition while maintaining the sort of nonpartisan stance which California voters find so attractive.

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INTERVIEW

Attorney General Evelle J. Younger Talks About His Office and Plans

Evelle J. Younger, former Los Angeles County District Attorney, was elected Attorney General of California last November and took office in January. He is the first Republican Attorney General in 20 years. California Journal *interviewed Attorney General Younger in his Sacramento office April 7th.*

California Journal: What have been your first priorities as you have taken over as California's Attorney General.

Evelle J. Younger: Our priorities are pretty well defined. We intend to go into the crime prevention and control business in a big way. We recognize that there has to be a better way of doing things than we've been doing them for generations. We can't build prisons fast enough, even if we could afford them, to take care of everybody that gets in trouble, unless we manage to do a more effective job of keeping people from getting into trouble to begin with. So we're going to undertake to expand certain programs that we have developed and originated in Los Angeles. We didn't discover any easy, fool-proof answer to any of our problems, but we did develop some programs we thought were effective and should be carried out on a statewide basis.

Our second priority is in the area of environmental protection and consumer protection. We've established several task forces, and have invited other governmental agencies, volunteer groups, universities, and others to cooperate. There is one in the Bay area, one in the Los Angeles area, another in the San Diego and Orange County area, and we may establish one in the Sacramento area. Of course this means more people in our office devoted to this activity. We've made it clear that from the standpoint of the assignment of personnel, environmental problems and consumer problems will receive top priority. That means that we'll take people from other sections and other activities, if necessary, in order to do it.

As the third priority, we're going to perfect our supportive services for local law enforcement. We anticipate, hopefully within the near future, to be able to establish, with federal supportive funds, a television network operated by law enforcement in California and use it for operation and training purposes. We're going to expand the number of educational, legal-type information bulletins we put out each month outlining the changing ground rules of the Supreme Court. We're going to give additional training in specialized law enforcement techniques where a local community may not have the expertise or the money to provide that training.

The fourth priority is in the legislative field. We're getting very active in the field of legislation, not so much in reacting to what somebody else introduces, but more and more where we feel we have expertise and experience. We want to actually do the drafting of the legislation ourselves. That's what we've done in connection with our court reform package, for example. We drafted the bills in our office. We now have five bills in the Legislature which we think warrant the attention, consideration, and support of the Legislature. This is the type of thing we're going to be doing more of in the future.

Journal: The rest of your legislative program is made up for the most part, of bills that other people have initiated?

Younger: Right, in our legislative package we've included not only those bills that originated in this office, but some like Senator Beilenson's auto repair bill that we just happen to think is a very important bill. We don't claim authorship of all these. We've got a package of about twenty or twenty-five bills which we think are extremely important and that we're going to try to promote.

Journal: Going back to crime prevention, what specific things will you be doing to help prevent crime in California?

Younger: Several things, and just as an example, we've undertaken an educational program where we take high school students for in-depth training in problems connected with narcotics and dangerous drugs. We train them so that they have available all relevent information, and they in turn go back to their own high school and carry out an educational speaking program among the various groups and students in the high school.

We started this in Los Angeles and we are now going to undertake a similar program on a statewide basis under the new section in our office, the Crime Prevention and Control Bureau.

In Los Angeles we also sponsored educational seminars for lifeguards and playground and park personnel who deal every day with this problem and have never received any instruction in it. That is a crime prevention type program. We sponsored training sessions for high school and college administrators so that they can better cope with violence and destruction on their particular campuses, so that they would know what their authority is. We produced a booklet and a movie on a program called "On Guard" — how to protect yourself against home burglaries, purse snatchers, strong-armed robberies, con men, bunko artists. We made a movie which has been shown to hundreds and hundreds of service clubs and to hundreds of thousands of people, which we think, again, is good crime prevention. These are the kinds of things we want to expand on a statewide basis.

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Journal: Your judicial reform program contains several fairly controversial proposals, including bills to require counsel in all capital and felony cases and examination of jurors by the judge, instead of by the attorneys. What do you think the prospects are for passage of these bills?

Younger: Well, I might be naive, but I don't think they're all that controversial, not if people really understand them. For example, we say there should be certification of attorneys so that a person who is not certified as qualified by the State Bar shouldn't be allowed to try a capital case. Well, the Bar has been paying lip service to that theory for fifty years; they've just never done anything about it. And now this year the Bar supports the proposal for certification. I don't know who is going to oppose it except maybe some lawyer who couldn't get certified.

Now if there had been certification in the Manson case and only lawyers who were professionally qualified by any reasonable standard had been permitted to act as lawyers in that case, that case would have been over in one month.

Admittedly, it is difficult to determine whether a person is qualified or not, but I think it's a responsibility which the Bar Association should assume. It doesn't make any sense for the Bar Association just to kick out habitual drunks who are never sober in a court room or people who embezzle money from their clients. But if the profession is really going to police its ranks, there ought to be established procedures so that they can get rid of a person who is not qualified to represent anyone in a law suit.

Journal: Turning to the area of the environment, what specifically do you intend to do in this field?

Younger: Number one, we want clearer and broader legislative authority to sue on behalf of the citizens of the state when we feel the environment is endangered. We now have common law authority to do that, but the common law authority is somewhat limited.

Journal: If that law passes, you would then initiate suits against stationary sources of pollution, for example?

Younger: We could do that now. It would simply give us a broader authority to do what we're doing now. Let's say we have authority now to do what we think the public interest requires us to do in about niney-five out of a hundred situations. That would fill in the gap so that in a hundred situations out of a hundred where legal action was required, we could take the action.

Hugo

Also the authority we seek would involve an aesthetic response, as well. There is nothing in the common law that gives the people's attorney, and that's what the Attorney General is, the right to take legal action against somebody just because he builds something that's homely. Under this bill, we could say to the man operating an oil well, for example, put it underground, cover it, make it look attractive, or get rid of it. Now we think we've come to the point where that should be a consideration.

Also the authority we seek would involve an aesthetic response, as well. There is nothing in the common law that gives the people's attorney, and that's what the Attorney General is, the right to take legal action against somebody just because he builds something that's homely. Under this bill, we could say to the man operating an oil well, for example, put it underground, cover it, make it look attractive, or get rid of it. Now we think we've come to the point where that should be a consideration.

Journal: The Attorney General, as you say, now does have the power to initiate suits in many cases. You have some going now . . .

Younger: We have many going right now, that's true.

Journal: You're in Santa Barbara . . .

Younger: Right, and we'll undoubtedly have an action going in San Francisco as a result of the ship collision there. There are a number of these that don't involve any complicated legal theory. If two ships collide as a result of negligence and do damage, we can sue for damages, that's easy.

Journal: And you expect your office will be doing that in San Francisco?

Younger: Oh sure, there has been damage to the state and we're now in the process of assessing that damage. That involves, of course, a number of different departments, and it isn't easy to assess damage. Who owns an egret? Is it a California egret or an Alaskan egret? If it was flying over California when it was killed, how much of that egret do we own? And who owns it? Does the county own any part of it or does the state own it all, and does it make any difference if it is a female egret or a male egret, and if it's a female egret, does it matter how old it is and how many eggs . . . it sounds silly, but these are the things you have to talk about when you talk about damages.

Journal: You have emphasized the environment, consumer fraud and court reform. Since you'll need more staff and more money in these areas, in what areas are you going to pull back?

Younger: The easiest way to answer that is, listen to where you hear people screaming around the office and the screams will be coming from places where we've taken personnel. That's facetious, but also serious. We've got to take them from within our own establishment. If we think environmental and consumer matters are more important than they were twenty years ago, we've got to take people from doing a job that twelve years ago was more important. It upsets some people but we have to do it and we're in the process now of re-evaluating those priorities.

Journal: With regard to the eighteen-year-old vote, you recently issued an opinion which indicates that eighteen-year-old voters are to register at their homes rather than at their schools.

Younger: Well that's not quite what we said. We said, in effect, that eighteen-year-olds are minors and their residence is with their parents in the absence of some evidence, such as marriage or something of that sort, that they have established their own homes.

Journal: How does that relate to the problem of a reapportionment based on the census which counts

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Legislative Committees Lean on the PUC

Testifying in March before the Senate Committee on Public Utilities and Corporations, Legislative Analyst A. Alan Post observed, "The fact that the electrical industry gets most of its electrical power by burning gas in California means that the price of gas enters into the price of electricity, and enters into the price of many other things, so there is an interrelationship here that . . . makes the regulatory activities of the Public Utilities Commission as significant, in many respects, as any kind of discussion we may have on the state budget itself."

This significance has not been lost on a number of Assemblymen and Senators who have attended recent legislative hearings on the policies and procedures of the PUC and who have authored or co-authored several bills which could have a substantial impact on those policies and procedures. As a consequence, the controversy which developed around the PUC in the latter part of 1970 shows no immediate signs of abating.

The basis of the controversy is the feeling of some legislators and consumer representatives that, in the last year or so, the PUC may have begun to move toward a position which unduly favors the interests of private utility companies whose rates and other practices it is charged with regulating. This concern stems in part from disagreement with the conclusions reached by a majority of the five commissioners in recent rate cases *(California Journal,* February 1971, page 44). But it has also arisen as a consequence of administrative and procedural changes which have been adopted or proposed for adoption by the commission. These changes are:

- A staff rotation plan, which has been carried out in part, to shift professional staff within each division among the different types of cases handled by that division; for example, to reassign staff who have specialized in electric utility cases to gas utility cases.
- A series of 22 changes in commission rules and procedures which would, among other things, create a category of participants in commission hearings to be called "limited parties" whose participation in the hearings would largely be limited to making statements; require all other parties to be represented by an attorney; and prohibit private communication with the commissioners and examiners on the part of those who have matters before the commission.
- A proposed $321,000 reduction in the commission budget, reducing expenditures from $12.7 million in 1970-71 to $12.4 million in 1971-72 and eliminating 26 staff positions.

The staff rotation plan and the proposed changes in rules and procedures are the work of the current commission president, John P. Vukasin Jr. The budget cut was proposed by the Department of Finance and concurred in by a majority of the commissioners.

Committee Hearings

During March and April committees of both houses of the Legislature held public hearings on these issues. The Assembly Committee on Commerce and Public Utilities held two hearings in Sacramento and the Senate Committee on Public Utilities and Commerce met first in San Francisco and later in Los Angeles. The hearings focused primarily upon the procedural and administrative operation of the commission but, in the case of the Senate Public Utilities and Corporations Committee, also extended into questions regarding PUC rate-setting policies. Among those called to testify were Vukasin, several PUC staff members, Alan Post, and other interested persons. Although Democratic legislators led the inquiry in most instances, several Republicans joined in expressing criticism of the proposed rule changes and the staff rotation plan.

Staff Rotation

Much of the testimony and questioning concerned the staff rotation plan. Originally this plan, put into effect in November 1970, was to include most of the PUC staff and to be accomplished in six months. Responding to criticism from his division chiefs, Vukasin subsequently agreed to a three-phase plan involving about one-half of the staff. The plan, which is now in its second phase, has affected 179 positions and has stirred up a good deal of opposition inside and outside the commission.

Alan Post, who testified at the first Senate hearing, commented that staff rotation, when properly implemented, may be a valuable administrative device, but said, "the degree of staff rotation undertaken by the commission goes far beyond these criteria and results in placing personnel in positions for which neither their education nor their experience qualifies them." Post also noted that the present plan may disqualify some commission staff members from testifying as expert witnesses, using the example of a senior utilities engineer who has specialized in hydraulics but now is assigned to communications rates and who may not qualify as an expert in communication technology.

The hearings also revealed widespread opposition to the rotation plan among PUC employees at all levels. This opposition was evident in direct testimony by senior staff members and in the announced results of a staff poll conducted by the California State Employees Association. The poll indicated that over 80 percent of the PUC staff members object to the plan as it is being carried out, while only 13 percent approve. Commenting on the plan after the hearings, Senator Peter H. Behr, Republican Vice Chairman of the

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Senate Public Utilities and Corporations Committee, stated that he thought "the rotation policy as proposed and implemented went beyond the proper purpose of rotation and temporarily, at the least, weakens the overall ability of the staff to function efficiently in the public interest."

Support for the plan came only from Vukasin, its author, who argued that rotation is necessary to give the commission the depth it needs in every field to handle the periodic surge in gas and electric cases without expanding the entire staff to meet peak needs in each area. Under committee questioning, Vukasin stated that he has not laid out the plan in detail because he wants to remain "flexible" as to its implementation.

Proposed Rule Changes

Vukasin also defended the proposed rule changes he has placed before the commission on the grounds that he, like others before him, is seriously concerned about the "nature, the extent of our hearings and . . . the productivity of the time being spent on our hearings."

Opponents of the rule changes argued that they are largely unnecessary and will make it more difficult for consumer groups to be fully heard by the commission in its proceedings. Consumer groups, they said, would face the choice of either being categorized as "limited parties", therefore losing the right to cross-examine utility representatives, receive copies of reports and exhibits, and file exceptions to proposed commission reports, or face the expense of hiring an attorney to represent them as regular parties.

The Assembly hearings also brought out the fact that there is little or no support for the proposed rule changes among the commission's hearing examiners, the men who, with the commissioners, preside over PUC proceedings. When polled by the committee, 15 of the examiners reported that present rules are adequate to conduct hearings, and 15 of 16 stated that the proposed changes would not help to expedite the hearings. The 16 were unanimous in declaring that neither requiring representation by attorneys nor the limited party rule were likely to speed up the hearings.

Of the 22 rule changes proposed by commissioner Vukasin, only one received substantial support during the hearings. That change would explicitly prohibit private communications between parties to cases before the commission, on the one hand, and the commissioners and examiners, on the other.

Committee Recommendations

The Assembly committee has issued a report of its findings and recommendations together with proposed legislation. Regarding staff rotation, the committee found that the existing plan is "unclear in design and purpose, that it has decreased the capability of the commission's staff, and that it has seriously affected staff morale," and recommended that the plan be halted "until competent management analysis can be sought and a proper plan of staff training developed."

Going one step further, the committee called for repeal of the law which makes the commission president also the commission's chief administrative officer, saying that "it is inappropriate for the president of the commission to be the 'executive and administrative head' of the commission's staff. He is a gubernatorial appointee who is not necessarily qualified for his appointment by any administrative experience. Historically, the president of the commission has been elected to a one-year term and has been replaced by another commissioner at the end of one year so that there has been a continual change of leadership." A committee bill would instead name the commission secretary as chief administrative officer. In doing so it would abruptly reverse legislation enacted in 1969 which gave to the president the administrative responsibility which Vukasin has been the first to exercise.

As to the proposed rules changes, the Assembly committee said "there is little or no legitimate reason for most of them, many of them seem to be aimed at limiting participation in the commission's proceedings, which is not in the public interest, and most of them raised a great deal of opposition from a wide variety of practitioners before the commission." Accordingly, the committee recommended that the commission either halt its proceedings on the rules changes or that the whole matter be restudied by the commission, taking into account the findings brought out in the legislative hearings as well as additional testimony from interested parties. In addition, the committee announced that it would introduce legislation to prohibit proposed changes regarding representation by attorneys, the limited party category, and rules of evidence and to adopt the proposed rule forbidding off-the-record communications.

This legislation is to be introduced as a "package" of bills authored by the committee. It will also include legislation to require public hearings by the PUC before any rate increase is granted; to require that all parties be heard before a commission order is rescinded, altered or amended; to remove "inconsistencies" in the responsibilities of the chief counsel for the PUC; and to require that the examiners submit their findings, conclusions and recommendations as part of the public record on all matters which come before the commission.

The Senate committee has not issued a report, but the chairman, Senator Alfred E. Alquist, has introduced a series of "spot" bills, which are to be filled in later, and a resolution, SCR 66, calling on the commission to halt its rotation plan. Alquist has also recommended to the Senate Finance Committee that it adopt Post's recommendation to add $395,057 to the PUC budget for 1971-72 in order to restore 13 of the 26 depleted positions and add 21 new positions.

It remains to be seen how much support committee members will find for this proposed legislation and what effect it will have on the commission. The commission, as a quasi-judicial body, is highly protective of its independence, despite the fact that the commissioners are appointed by the Governor for four-year terms and must rely on the Governor and the Legislature for their annual budget. Vukasin has recently turned down an important new administrative post in Washington to stay with the commission and to fight for the changes he wants. He has shown a willingness to compromise (on implementation of the staff rotation plan) where necessary, but also has indicated a clear intention to push through some changes in PUC procedures which he believes are essential. With tacit support from the Governor, he is unlikely to give in easily to pressure from the Legislature.

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Vukasin Defends Planned PUC Changes

John P. Vukasin Jr., an Oakland attorney, was appointed to the Public Utilities Commission by Governor Reagan in January 1969 and was elected president of the commission for a one-year term beginning July 1, 1970. Upon taking office Vukasin instituted a staff rotation plan and proposed a number of other rule changes which, together with several recent PUC utility rate decisions, have become the subject of a major controversy (California Journal, *February 1971, page 44). On April 15th, following several legislative hearings on these issues, the* Journal *interviewed Mr. Vukasin in the PUC's Oakland office. The interview, in which Mr. Vukasin expressed his views at length, has been edited to fit these pages.*

California Journal: Both the Senate and the Assembly have held hearings into the PUC. What do you think have been the goals of these hearings and what have they accomplished?

John P. Vukasin: Well, the stated goals, generally speaking. They had heard rumors and information which caused them some concern, and they wanted to inquire about what was going on, which I think is the proper legislative function. They should keep themselves advised. As a matter of fact, I welcomed the opportunity to meet with the committees of the two houses in order to discuss things, to convey to them some of my thoughts and reasons, and to tell them accurately what was transpiring and at the same time, to get the benefits of their thinking on the subject.

I do believe that it is important that we always remember that this commission is supposed to be free of political influence. It was created as a constitutional agency, it is my understanding, for the specific purpose of removing it from the political arena and pressure or influence from either the executive branch or the legislative branch. But inquiries, an exchange of ideas, thoughts, suggestions, recommendations, exchange of information are highly beneficial to both sides.

Journal: Senator Alquist has introduced a bill to restore the funds cut from the PUC budget, and the Ways and Means and Finance Committees may also restore these staff funds. How will you respond to that?

Vukasin: I do not take a position independent from the commission on this. The commission considered the recommendation of the Governor's Budget which included a reduction of roughly $300,000 in our budget of $12,700,000. The commission considered it, reviewed it, and the commission voted 3-to-1 that it felt it could perform its duties and its responsibilities with a budget of just over $12,400,000. That was a position the commission took, and that was the position presented to the legislative committees.

Now, as far as budget matters are concerned, the easy thing is to say, "Give us more money and more people because then we don't have to worry about working a little harder." The more difficult thing to do is to see whether or not we can perform our duties as effectively spending less of the taxpayers' money.

Journal: When you look at the fact that the commissioners have all been appointed fairly recently by the Governor, and therefore have some obligation to the Governor, and when you see a budget reduction like that and the commission acquiesces, there is a natural assumption that they are going along with the Governor on a fiscal matter, apart from whatever they may think in terms of the commission's responsibilities.

Vukasin: I have to take exception to the comment that there is some obligation because we were appointed by the Governor. I want to make this abundantly clear. Prior to my appointment, there was no indication, no question was asked, no instructions were given, no suggestions, not even remote suggestions were made as to how I should act, what my philosophy should be, or what position I should take on the commission. Since I have been appointed to the commission, neither the Governor, nor any member of his staff, nor anyone who purported to speak for the Governor has ever attempted to influence my decisions on any cases before the commission, or my administration of the commission as its chairman.

I do not feel any obligation to the Governor to go along with his recommendations on budget or any other matter. And don't think you can say there was acquiescence in his budget. Perhaps we share his philosophy, which would be a natural thing. You would expect the Governor to appoint people who agree with his philosophy. And rather than asquiesce, I agree with his philosophy that governmental agencies should do what they can to conduct their affairs as efficiently as possible.

Journal: Another of the topics of the legislative hearings was the matter of staff rotation. Do you still think that the staff rotation, as you proposed it, will be beneficial to the commission?

Vukasin: There is no question in my mind about that one. None at all. While we have people who are highly qualified, we lack depth, and lacking depth, you lack flexibility, and you therefore are unable to meet the varying caseloads we have. We do not have an even flow of all different kinds of cases. Sometimes, for example, because of Federal Power Commission rate rulings, we will suddenly have an influx of gas rate applications. And then, following those gas rate applications, we have an influx of electric rate offset applications. We should have enough people capable to handle these cases as they come in and handle them well.

This rotation plan will improve the depth and the experience and improve our flexibility and make this commission better able to properly and effectively

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regulate the companies. It takes more work on our part now, but if the commission had done this two years ago or four years ago, we wouldn't have to do it now.

In talking about rotation, I think there are some things we should remember. First, rotation is nothing new. It has been a policy of the commission for years. However, it was not practiced for the last few years. Second, the rotation program, which I implemented, is restricted in a number of ways. People who are in the utilities division will stay with the utilities division, but if they have been, say, in the electric branch for eight years, they may be moved into the gas branch for a few years, and people who have been in hydraulics will be moved into electricity, and people who have been in gas will move into communications. Now this is within their field of expertise and this is within their civil service specifications.

Every person should be moved every X number of years. Whether it's two years or five years or three years, I don't know. But I would like to have within the utilities branch a group of people who can really zero in when they have a heavy problem in one particular area. I think it also would make better regulation, because you have people bringing new ideas to old problems.

Journal: As to the rules of procedure, the two main issues appear to be the proposed "limited party" status and required representation by an attorney.

Vukasin: That was in what we call a "proposed report". The purpose of the proposed report was to give everybody who participated a chance to take all the shots he wanted to at any of the provisions, and there were about forty or fifty changes in our rules and only a couple of them gained some publicity. I still don't know what the order should contain. I have not made up my mind, and I have not read all the briefs, and there is a stack about two feet high.

Journal: You're running a change in the administrative rules though as if it were a rate case?

Vukasin: That's correct. The commission was criticized because of some of its rules of practice and procedure and the way they were implemented long before I was appointed to the commission. Now we are accused by critics of trying to gag the public, of trying to keep out participants and prevent them from appearing before the commission. But even if these rules were adopted they'd contain specific provisions that any citizen with a minimal interest has a right to appear and be heard and participate as a limited party. There were no restrictions on appearances. There is restriction on the nature and extent of participation in order to prevent some of the incidents and some of the events we have had at our commission hearings.

Hugo

We now have a case under submission that was just submitted a couple of weeks ago. Eighty-one days of hearing, two hundred witnesses, unlimited cross examination by anyone who walked in off the street and wanted to cross examine, even though he had not heard the direct testimony and wasn't familiar with what had transpired before — eighty-one volumes, over a million and a half words of testimony in this case. Anyone who accuses this commission of gagging the public with a record like that, I think, has a tough time trying to establish or prove that.

Journal: Do you see any merit in the concept of having an independent member of the staff, an ombudsman-like official, who would bring together and assist these interests?

Vukasin: Our staff has a dual function. Some of them act as advisors to the commission, and part of the staff is independent of the commission's direction, so far as decisions and recommendations are concerned, and act on behalf of the people of the state of California for the purpose of making sure the case is complete and that a good record is made. They introduce whatever testimony they think should be introduced so that the commission will have the benefit of that information. They act independently of the regulatory agency, and the staff counsel makes his services available to any member of the public who appears and either wants or is in need of help in making his presentation.

Journal: They are not permanently in that capacity though?

Vukasin: No, I think perhaps they should be. That's one of the things I'm looking at right now. The fact that it works is proven without any question of a doubt, because in cases presently pending before the commission, this staff of ours has taken positions contrary to decisions made by the commission within the last year. So there is no question in my mind that they exercise their independence. There is a firm condition over there that no commissioner ever tells staff member, that they cannot introduce something they want to. We may ask them to do something else that they had not intended to do, but we never tell them they can't.

Journal: You've been quoted in the *Congressional Record* to the effect that, in general, it is inappropriate for the PUC staff to challenge the findings and judgments of a private utility's staff in areas that are particularly complicated. Can you expand on this?

Vukasin: The quotation from one of my dissents did not accurately disclose the context in which the statement was made. It was on the subject of accelerated depreciation, which is a very, very complicated issue. Two or three intelligent people with no background, no prejudices on that issue, could spend three days and come to different conclusions and feel very strongly that they are right about it. The case in which I issued that dissent, making reference to deferring to management discretion, was a case concerning accelerated depreciation, and our staff was divided as to how that should be treated and how we should treat accelerated depreciation. One of our divisions felt strongly it should be treated one way. Another division felt strongly it should be treated the opposite way, and the third division said, "Well — we agree with one of these, we think, but we have no strong feelings on it."

So how am I going to try to decide on this issue of accelerated depreciation? Within that context I have to assume that management is interested in minimizing its taxes and for that reason, I think we should give consideration to management.

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VUKASIN *(Continued from previous page)*

Journal: You would strictly limit the application of that statement to that particular case?

Vukasin: Yes, that's right.

Journal: That was not a statement of your philosophy?

Vukasin: Absolutely not. My job is to substitute for competition. If you think it's more efficient to have only one company, somebody has to substitute for competition and that's our responsibility. I don't think that regulators should sit back and say, "What does management want?" or "What do the owners want?" or "What do the officers of a utility want?" That's our job, and we should do it effectively, make sure we get all the information, make the decision, and keep our fingers crossed and hope that these commissioners are smart.

Journal: When you took office you said that your role was to ensure excellent utility service at fair rates. In a period of recession, however, when most of the government services are taking budget cuts, do you feel that rate increases to these services, which are in a way taxing the citizens, are still justified?

Vukasin: Rate increases or decreases have to be determined on what is necessary to make sure that five years from now or ten years from now you are going to get the same service that we enjoy today, if not better service. You try to figure out how inexpensively the companies can do it, that's essentially what it boils down to. I do not want to preside over the deterioration of services in California.

The problems that they have in other states, particularly the eastern states, did not happen last year because of the decision of their commissions last year. It happened because of a long-range deterioration, failure to anticipate, failure to plan. They have problems in communication, natural gas, and electricity that they are not going to climb out of for years and years.

I'd love to reduce the rates. I want to keep them as low as I can. The Governor wants the state agencies to cut, squeeze, and trim. Well, I want the companies that we regulate to cut, squeeze, and trim and render their service as inexpensively as they possibly can.

I would like to make one reference to something, if I may. The article in the February issue of *California Journal* had a chart on utility rate increases. The implication was that the California Public Utilities Commission, since Governor Reagan has started appointing commissioners, has become much more lenient and has been, "Giving away the consumers' money." I am not quoting you but this is the type of comment that we get. The rate increases have increased in California, there is no question about it. But I obtained about three weeks ago, just before the last Senate hearing, some statistics on rate increases nationwide and compared California with the nationwide increases. In 1967, California granted $6 million in rate increases; nationwide, there were $9.5 million in rate increases. In 1970, California granted rate increases of $110 million; nationwide the rate increases exceeded $1 billion.

This is not a California phenomenon. I agree, rates have gone up. Rate increases have been granted by the California Public Utilities Commission in the last five years, but at a rate of less than one tenth of what the national rate has been. I think the commission has done a good job.

Youth Authority Commitments Continue to Decline

A research report released in April by the California Youth Authority shows that the annual number of first admissions to the CYA has continued to decline, dropping from a 1965 peak of 6,190 to a low of 3,746 in 1970. The decline is attributed in large part to state subsidies to county probation departments, which use the state funds to set up intensive probation supervision programs.

The study also shows a greater percentage of commitments from the regular criminal courts, as more first-time juvenile offenders are assigned to the expanded county probation programs. In 1963, 76 percent of Youth Authority comitments came from the juvenile courts and 24 percent from the criminal courts. By 1970, the juvenile court figure had dropped to 59 percent, with 41 percent from the criminal courts.

As might be expected, the figures for the past ten years reflect a sharp increase in drug and narcotics violations. Such violators accounted for only 4.5 percent of 1961 commitments, but by 1970 19.3 percent of CYA commitments were for narcotics violations, and among all juveniles committed, four out of five were known to have been involved with drugs at some point in their lives. On the other hand, crimes against property as the reason for commitment have declined from 44 percent to 30 percent since 1961, while crimes against persons have increased from 13 percent to 21 percent, probably reflecting the increased use of probation for minor property offenses.

The median age of those committed in 1970 was 17.7 years, up only 0.7 years from 1961. The socio-economic level reported for the families of CYA wards has undergone a more significant change, however, as the percentage for those considered below average in income has dropped from 66 percent (1965) to 54 percent, and the percentage for those rated average or above has risen from 34 percent to 46 percent. In 1961, the reported ethnic distribution was 58 percent white, 18 percent Mexican-American and 22 percent black. In 1965 these figures changed to 52 percent white, 19 percent Mexican-American and 28 percent black, but by 1970 they had moved back to 55 percent white, 17 percent Mexican-American and 25 percent black.

In 1970, the Florida legislature became the first in the nation to adopt legislation requiring shock absorbent bumpers on all automobiles sold in the state. The measure will apply to all 1974 and later model cars and is intended to reduce the cost of repairs and collision insurance rates.

The New York state legislature has received a bill from Governor Rockefeller that calls for an eventual ban on all detergents containing phosphates. The measure would restrict detergents to an eight percent phosphate level after January 1, 1972, and then completely ban the additive after June 1, 1973.

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Momentum Builds for Coastline Preservation Bill

Official recognition of the need to prepare a comprehensive plan for the entire area of California's Pacific Ocean Shore dates back to studies conducted during the administration of Governor Edmund G. Brown. However, not until 1970 was there a serious attempt to seek legislation establishing a full-scale planning process with sufficient authority to protect the valued resources of the coastline from incompatible and unplanned development. *(California Journal,* 1970, page 135). Not surprisingly, that legislation failed.

Despite the defeats of last year, the proponents of coastline legislation have renewed their efforts, confident that there is a broad base of public support for preservation and protection of the coastline. The Coastal Alliance, a coalition of groups, including the Sierra Club and the Planning and Conservation League, has endorsed legislation (AB 1471) authored by Assemblymen Alan Sieroty, John Dunlap, and Assembly Speaker Bob Moretti. Moretti, a newcomer to the issue, has announced his personal commitment to support passage of a strong coastline bill by the Assembly. Moretti has also sponsored a funding measure to pay for acquisition of high priority parcels of coastal property.

New Assembly Committee

In the Assembly, the initial debate over the content of the bill will take place in a newly created Planning and Land Use Committee chaired by Republican Assemblyman Paul Priolo. This month the committee held hearings in San Diego and Monterey to hear from conservationists, representatives of local government, utilities, and land development companies on the need for coastline legislation and the basic elements of regulation which should be included.

In 1970, there were three competing coastline bills introduced in the Assembly and one in the Senate. It was late in the session before a decision was made to pass the version authored by Assemblyman Pete Wilson of San Diego. Wilson's bill had the tentative support of local government and conservationist groups, but the expression of unity was not sufficient for passage in the Senate. In the closing moments of the session President pro Tem Jack Schrade refused to permit members of the Senate Governmental Organization Committee to leave the floor to hear Wilson's bill, an action that resulted in the defeat of the bill and produced a bitter exchange between the two San Diego Republicans.

The Assembly's ability to agree upon a single coastline bill at an earlier point in this session may be a decisive factor in determining whether a bill is passed this year. Wilson has reintroduced his bill and has not yet indicated whether he is willing to support the Sieroty bill. Although Wilson managed to unite conservationists and local government behind his bill last year, their support was shortlived. Both groups are now supporting other bills.

Senate Interest Grows

It is still too early to determine whether there will be any significant change in the way the Assembly approaches the coastline bill, but it appears likely that some changes will occur in the Senate. Last year, only one bill, a conservationist-oriented measure authored by freshman Senator John A. Nejedly, was introduced. This session there are more bills affecting the coastline in the Senate than the Assembly, and their sponsors represent the entire range of interests in coastline regulation:

- Senator Alfred E. Alquist has introduced on behalf of the Coastal Alliance a measure, SB 155, which is a companion to the bill introduced by Sieroty in the Assembly.
- Senator Donald L. Grunsky has introduced SB 1482 and 1483, both sponsored by the County Supervisors Association. These bills provide for locally-initiated coastline planning through permanent regional agencies with a two-year moratorium on development. It is likely that the League of California Cities will also back this approach.
- Senator James Q. Wedworth has introduced SB 1354, sponsored by private planning interests.
- Senator Ralph C. Dills, Chairman of the Government Organization Committee has introduced SB 1619, based on the work of the California Advisory Commission on Marine and Coastal Resources (CMC).

Additionally, several other Senate bills have been introduced which relate to coastline planning, and the Environmental Quality Study Council bill (AB 1056) by Assemblyman Ed Z'berg of Sacramento contains a coastline element.

Multi-government Approach

All of the coastline bills, although different in many respects, contain similar organizational structuring of the planning process, with state, regional and local government agencies sharing some measure of the responsibility, and all recognize the need to protect against coastal developments which are adverse to the plan. The two issues on which there is disagreement are the extent to which the state should infringe on the traditional powers of local government in regulating land use and the nature of the controls necessary to restrict development by private owners and public utilities.

A potentially important factor may be the position the Reagan administration takes on these disputed issues. Lieutenant Governor Ed Reinecke and Resources Secretary Norman B. "Ike" Livermore, who are members of the Reagan cabinet, are attempting to develop an administration position which will give the Governor the initiative in resolving the present conflict over what legislation is needed. The Governor has not taken an active role in this area as yet, however.

In summary, while it is clear that support for coastline legislation has developed new momentum, it remains uncertain that support will coalesce this year behind a specific approach.

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JOINT COMMITTEES OF THE LEGISLATURE

Listed below are the Joint Committees of the Legislature, their membership approved in April by the Joint Rules Committee, and the statute or resolution authorizing their existence.

ATOMIC DEVELOPMENT AND SPACE — (6)
(ACR 154, 1968 Session)

Badham (Chairman)	Powers
Dills (Vice Chairman)	Gregorio
Briggs	Nejedly

AUDIT, LEGISLATIVE — (6)
(Gov. Code 10501, 10502)

Thomas (Chairman)	Johnson, Ray
Coombs (Vice Chairman)	Deukmejian
Cullen	Zenovich

AUTOMOBILE ACCIDENT STUDY — (8)
(SCR 119, 1970 Session)

Harmer (Chairman)	Bradley
LaCoste (Vice Chairman)	Pierson
Beverly	Gregorio
Fenton	Zenovich

BUDGET, LEGISLATIVE — (14)
(Gov. Code 9140, 9141)

Teale (Chairman)	Mobley
Lanterman (Vice Chairman)	Collier
Brown	Lagomarsino
Crown	Marler
Cullen	Moscone
Davis	Short
MacDonald	Way

ECONOMIC CONVERSION — (8)
(ACR 38, 1968 Session)

Burton (Chairman)	McAlister
Holmdahl (Vice Chairman)	Carrell
Beverly	Marks
Hayden	Schrade

EDUCATIONAL GOALS AND EVALUATION — (8)
(ACR 198, 1970 Session)

Vasconcellos (Chairman)	Ralph
Carpenter (Vice Chairman)	Grunsky
Chacon	Petris
Monagan	Whetmore

ETHICS, LEGISLATIVE — (6)
(Gov. Code 8940)

Stevens (Chairman)	Monagan
Karabian (Vice Chairman)	Grunsky
Cory	Moscone

FAIRS ALLOCATION AND CLASSIFICATION — (14)
(Agri. Code 4531)

Belotti (Chairman)	Ketchum
Collier (Vice Chairman)	Behr
Barnes	Dills
Chappie	Marler
Cory	Nejedly
Davis	Stiern
Johnson, Harvey	Walsh

MASTER PLAN FOR HIGHER EDUCATION — (10)
(ACR 198, 1970)

Vasconcellos (Chairman)	Stull
Way (Vice Chairman)	Alquist
Brown	Carpenter
Lewis	Dymally
Meade	Rodda

OPEN SPACE LANDS — (8)
(ACR 26, 1967 Session)

Dunlap (Chairman)	Z'berg
Behr (Vice Chairman)	Coombs
Knox	Marler
Quimby	Stiern

PENAL CODE, REVISION OF THE — (10)
(Ch. 1797, 1963 Seccion and Ch. 1032, 1969 Session)

Grunsky (Chairman)	Murphy
Sieroty (Vice Chairman)	Beilenson
Beverly	Bradley
Fenton	Lagomarsino
Miller	Song

PUBLIC DOMAIN — (10)
SCR 133, 1969 Session)

Cory (Chairman)	Waxman
Nejedly (Vice Chairman)	Beilenson
Briggs	Dills
Crown	Kennick
Hayes	Teale

RETIREMENT, LEGISLATIVE — (6)
(Gov. Code 10601, 10602)

Barnes (Chairman)	Townsend
Wedworth (Vice Chairman)	Carpenter
Johnson, Harvey	Cologne

RULES — (16)
(Joint Rule 40)

Burton (Chairman)	Townsend
Cusanovich (Vice Chairman)	Holmdahl
Burke	Lagomarsino
Johnson, Ray	Kennick
Mobley	Mills
Moretti	Stevens
Quimby	Teale
Ryan	Wedworth

SCHOOL FINANCE — (10)
(ACR 198, 1970 Session)

Rodda (Chairman)	Behr
Lewis (Vice Chairman)	Burgener
Cory	Dymally
Deddeh	Zenovich
Dent	Greene, Leroy

SEISMIC SAFETY — (8)
(SCR 128, 1969 Session)

Alquist (Chairman)	
Wilson (Vice Chairman)	
Greene, Leroy	Kennick
Hayes	Song
Keysor	Whetmore

TEXTBOOKS AND CURRICULUM — (6)
(ACR 198, 1970 Session)

Ryan (Chairman)	Stull
Harmer (Vice Chairman)	Dymally
Dent	Rodda

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Legislative Workload Piles Up, May Force Extended Session

A heavier legislative workload and short time in which to consider the volume of bills make it unlikely that the Legislature will complete its work by the planned July 31 adjournment date. On April 16th the Senate and Assembly reached the cut-off date for unrestricted introduction of bills with a record 5,077 measures introduced. This represents the largest workload since the institution of annual sessions in 1967. Of the total, 3,284 measures were put across the desk in the Assembly and 1,966 in the Senate.

Under the Joint Rules of the Senate and Assembly, which govern the legislative procedure of both houses, the cut-off date for unrestricted inroduction of bills is one week following the Easter recess. After this date no measures, except resolutions, can be introduced without permission of the Rules Committee and two-thirds of the members.

The pattern of bill introductions which occurs during the period prior to the deadline determines the workload of the session. This year the volume of bill introductions and the July 31 target date for adjournment, indicate that the 1971 Legislature is heading for a very hectic next two months.

Here's where things stand:

- A record number of bills have been introduced this year, 826 more than were introduced last year;
- Nearly half, or 2,343, of the total, were introduced in the last week before the cut-off date, 506 more than last year;
- The cut-off date for unrestricted introduction of bills occurred two weeks later than last year;
- The planned adjournment date is set for three weeks earlier than last year.

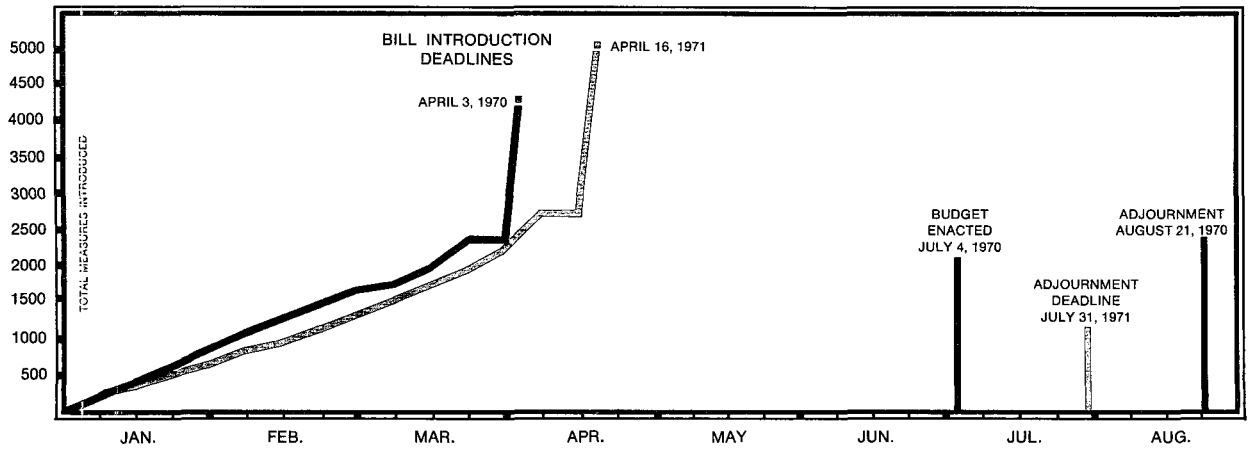
The result of these factors means that the record volume of bills must be considered by at least one committee and the full membership of each house in a time span that is a total of five weeks shorter than in 1970. Because the constitution prohibits bills from being considered until 30 days after their introduction, these bills are not eligible for their first hearing until the second week of May. Therefore they must make it through both houses and to the Governor in a period of about six weeks if the current adjournment deadline is to be met.

Another obstacle which makes it unlikely that this task will be accomplished within the prescribed time period is the annual logjam effect created in the fiscal committees. Until the Budget Bill is passed, no bill containing an appropriation measure can be passed by those committees unless there is a letter from the Governor giving specific permission to do so to meet an emergency. Further, all bills which have even an implied effect on state cost must be considered by the fiscal committees.

Although the passage of Proposition 3 on the 1970 General election ballot set June 15 as the deadline for passage of the budget, this change will not take effect until 1972. It is possible that early passage of the budget this year could relieve the legislative logjam, but there is nothing in recent legislative history to indicate this may happen.

As things now stand it is unlikely that the Legislature will be able to meet its planned adjournment date. If it does not, the prospects for an August recess and a resumption of the session in September may prove to be the practical alternative to prolonging the session through the summer.

LEGISLATIVE CALENDAR & BILL INTRODUCTIONS – 1970 vs 1971



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Juvenile Court Law Moves Toward Adult Standards, But Some Special Protections Remain

In 1967, in the landmark *In re Gault* decision requiring due process in juvenile courts, the United States Supreme Court signalled the nationwide movement of the juvenile court system away from the *parens patriae*, or substitute parent concept, toward full adversary proceedings and protections characteristic of an adult criminal trial. The decision came as no great surprise to California, however, as the state had already begun moving in this direction some six years earlier. In 1961, the Legislature had enacted the Arnold-Kennick Juvenile Court Act, a sweeping revision of juvenile justice law giving California minors most of the protections of the Gault decision with the exception only of privilege against self-incrimination, the right to confrontation of witnesses, and the right to cross-examine witnesses. The Gault decision granted these additional rights together with the right to advance notice of charges, the right to counsel, the right to a transcript of the proceedings, and the right to appellate review, all of which California law already provided.

The question remains, however, how far the movement will go in California. Since 1967 there has been a continuing debate as to whether juvenile rights stop where the Gault decision stopped or whether the framers of the decision actually intended to extend to juveniles all of the constitutional protections afforded to adults. Many who work within the juvenile justice system feel that further movement toward adversary proceedings is of questionable value and possibly dangerous for minors who come before the system. They are strongly in favor of retaining the non-legalistic paternalism and the rehabilitative framework of the juvenile court.

Two Legislative Packages

Many of the 40 or more bills introduced this year dealing with various aspects of juvenile court reform do nevertheless move in the general direction of shifting juvenile court procedures to the adult standard. Among these are two juvenile court reform packages which have been reintroduced this year after failing to obtain sufficient support at the last session.

A package of eight bills, SB 456-63, has been introduced by Senator Joseph M. Kennick at the request of the California Juvenile Court Judges Association. These bills, which are similar to a series of bills Kennick carried last year (SB 1216-1224), were the subject of an interim hearing in San Francisco in November. At that hearing Ventura County Superior Court Judge Jerome Berenson, chairman of the juvenile court committee of the Conference of California Judges, characterized the bills as "reflecting the experience of juvenile judges up and down the state."

The Kennick package makes the following changes in juvenile court rules and procedure: (1) the legal experience requirement for appointment as a juvenile court referee is raised; (2) juveniles of age 18 or older may be committed to a county jail for up to 90 days; (3) juvenile court rehearing requirements are simplified; (4) the rule of discovery in criminal cases also is to apply to juvenile proceedings; (6) a juvenile court judge is authorized to appoint counsel for a minor; and (7) juvenile halls and other similar facilities are renamed "county institutions."

Two additional sections of Senator Kennick's package, on the other hand, reinforce the special status accorded to juveniles. One of these provides that a petition for sealing the records of a juvenile case may be filed within one year after a juvenile court proceeding has ended and also prohibits an employer from asking a job applicant whether he has a sealed juvenile record. The other gives a juvenile court judge authority to terminate a case when he believes it to be in the interests of justice or for the welfare of the minor.

Ready to Compromise

These bills are scheduled for their first hearing before the Senate Judiciary Committee on May 11th. Senator Kennick is optimistic about the package. "I think they are good bills. I could, however, have trouble with SB 460, which changes the time for sealing of the records, and, at the recommendation of the Juvenile Court Judges Association, I would be ready to amend the bill," he declared.

In the Assembly, Willie L. Brown Jr., has also reintroduced a package of bills, AB 910-915, which he carried last session (as AB 1097-1110), most of which died in the Assembly Criminal Procedure Committee. The first of these bills, AB 910, provides that a misdemeanor must have been committed in the presence of a police officer if that officer is to make an arrest

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without a warrant. A second, AB 911, specifies that a minor and his parent or guardian shall be informed that anything the minor says may be used to temporarily or permanently remove him from his home, and also clarifies the right of a minor to have appointed counsel during interrogation. Four other bills in the package reduce the length of time a minor can be held and provide for bail or release on the minor's own recognizance (AB 912); establish a special court unit to initiate proceedings in juvenile criminal hearings (AB 913); allow a juvenile to start proceedings to have records sealed immediately after he has completed serving his sentence (AB 914); and designate county boards of supervisors as the appointing bodies for the Juvenile Justice Commission (AB 915).

The Brown bills received an initial hearing before the Assembly Criminal Justice Committee on April 20th. Two of the bills, AB 910 and AB 911, were amended and moved to the Assembly floor with a favorable recommendation. Of the others, three were killed and one, AB 914, was set for rehearing on May 4th.

Sealed Records

A good example of the basic rift between the two schools of juvenile court philosophy concerns the sealing of juvenile court records. Many of the opponents and proponents of juvenile court "reform" favor the sealing of juvenile records, in direct contrast to the handling of adult records. Three bills have been introduced on this subject this year, the two noted above as parts of juvenile court reform packages and a third, AB 468 (Ralph), which would allow certain juvenile court records to be sealed two years or more after issuance of a citation or on termination of the court's jurisdiction after the person reaches 18. All three move in the direction of shortening the length of time a juvenile must wait to seal his record. It is not surprising, however, that the bills have generated a great deal of opposition, notably from employers, district attorneys, peace officers and others who maintain that record-sealing works unnecessary hardship on them.

Carl Anderson, legislative advocate for the California Peace Officers Association and for the District Attorneys of California, explains their opposition in these words: "We feel it is more important to have complete and accurate records disseminated to agencies with a legitimate need to know, and that by the same token it would be to the juvenile's advantage to have a document which accurately reflects what happened to him and why." Senator Kennick, who stands on the other side of the question, says that he believes forgiveness of juvenile offenses to be more important. "I see no reason why a youngster who stubs his moral toe should carry that cross with him all his life," says Kennick.

Bar Association Proposal

At the request of the California State Bar Association, Senator Arlen Gregorio has introduced SB 1094 which brings procedures for advising a minor of his rights up to the adult standard, requires that minors be represented by legal counsel and specifies that a minor may not waive that right, and allows a minor, upon consent of counsel, to plead guilty as charged. Gregorio describes the measure as "an effort to assure for minors fair and equitable law enforcement and legal proceedings."

A similar but less ambitious bill, AB 723 (Sieroty), gives a juvenile who is taken into custody the right to make two phone calls, one to an attorney and the other to his parents or employer. The bill was passed by the Assembly on April 10th by a vote of 59-0.

Senator George Moscone has introduced a measure which requires, rather than permits, the district attorney in juvenile court hearings to appear and participate in the hearings, at the request of the judge, and to assist in ascertaining and presenting evidence. The objective of this change is to relieve the probation officer of responsibility for acting both as friend and advisor to the minor and as prosecutor. The bill will be heard in the Senate Judiciary Committee on May 11th.

Criminal and Non-Criminal Youth

In the Assembly, Frank Murphy is carrying a bill, AB 412, which in its original form was watched with great interest by many in the juvenile justice field. The bill came out of a two-day interim hearing held in September by the Assembly Criminal Procedure Committee. Originally AB 412 would have repealed the law that allows a juvenile to be brought before a court for being "incorrigible". Under existing law, "pre-delinquent" or "problem" children may be dealt with in much the same manner as the truly delinquent youth. Juvenile experts argue that housing the pre-delinquent group with the criminal juveniles has a detrimental effect on the pre-delinquents.

Nevertheless, AB 412 has been amended substantially by the Assembly Criminal Justice Committee and now merely amends the section dealing with "incorrigible" children to clarify vague and ambiguous language. However, it does reduce the jurisdiction of the juvenile court over this category of juvenile to those 18 or under, rather than to those up to 21, and it takes from the juvenile courts the power to commit incorrigible minors to the California Youth Authority.

Informed persons in the juvenile justice field characterize this year's legislation as "mild modifications" of existing juvenile court law. They acknowledge, however, that the entire juvenile system continues to move in the direction of the adult standard — but slowly. In the wake of the Gault decision and others in the same vein, the California Legislature has shown itself willing to enact legislation to clarify the procedural rights of juveniles, but remains extremely reluctant to bury the final remnants of the *parens patriae* doctrine.

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multi-county districts and the four at-large districts in the Bay Area have additional staff or offices or both.

Staff assigned to individual legislators is chosen by the members with only a *pro forma* approval by the Rules Committee. Because of a lack of space, the Assembly requires administrative assistants to be officed in the district in all but a few instances. In the Senate one personal aide may be officed in the Capitol. Thus many Senators use one aide for dealing with constituent problems and politics in the district and the other aide as a legislative assistant.

Leadership Staff

By virtue of their additional duties and responsibilities, the leaders of the Assembly and Senate receive staff allotments beyond those permitted for other members. In the Assembly, the Speaker has seven additional professional staff whom he appoints with the concurrence of the Rules Committee. The Assembly majority and minority leaders each have three additional aides by virtue of their positions, and the Speaker pro Tem has one. The two party caucus leaders each have two positions which are assigned to them personally and are separate from the caucus staff, which is supposed to work for all the members of the caucus. The chairman of the Assembly Rules Committee has two extra aides, and each member of the Rules committee has one.

Leadership staff in the Senate is not formalized. Additional aides are provided to the floor leaders and caucuses, but aside from that, if there is any additional leadership staff it is provided through the district offices.

Partisan Staffing

Caucus staff was initiated in the Assembly in 1964, with the authorization of four research positions for the minority caucus. The unit gradually expanded to 12 last year and then was cut back to the current nine positions. In the Senate, caucus staffing did not begin until 1969, when an expanded staff was provided for the caucus leaders elected for the first time that year. In general, caucus staff has supplemented rather than duplicated other staff positions. Although they often work closely with existing committee staff, they are expected to take the initiative in developing programs which may serve as party positions. They have also functioned in the capacity of providing personal staff services for individual members and in 1970 were actively involved in the election campaigns of their respective houses.

In 1969, the Assembly majority caucus received staff for the first time. Beginning with three, the staff grew to nine the following year. The majority leader of the Senate also got additional staff in 1969. Prior to that time, the staff structures that Unruh built in the Assembly and which the Rules Committee subsequently followed in the Senate were frequently thought to be appendages of the relatively long regimes of Unruh and Senate pro Tem Hugh M. Burns. It was not until these arrangements withstood their first leadership changes in 1969, and were retained virtually intact by the new Republican leadership in each house, that non-partisan professionalism of the committee staff could be certified as continuing legislative policy.

The creation of partisan staff for the majority as well as the minority in 1969 was an important part of the "certification" process. The minority caucus staff in the Assembly was created following a purge of Republican committee chairmen by Unruh and at a time when both houses were stressing a more partisan alignment in the Legislature. However, creation of partisan staffing for both the minority and the majority allowed committee staff to be completely non-partisan if they were not before. It was in 1969 also that the first partisan committee staffing arrangement was created for the Assembly Ways and Means Committee, similar to the arrangement for Congressional committees. This remains the only committee in either house with such a set-up.

Housekeeping Staff

The Rules Committees of each house are responsible for the administration of the business affairs of their houses. They hire and pay the staff, assign offices, approve the claims and in other ways administer much of the $30 million annual legislative budget.

The Senate Rules Committee has an Executive Secretary, John Williamson, who is responsible to the committee for management of Senate finances, personnel and fiscal affairs under its direction. His Assembly counterpart is Louis Angelo, who has the title of Chief Administrative Officer. Angelo also serves as the administrative officer for the Joint Rules Committee by virtue of the fact that Assembly Rules Committee Chairman John Burton is also chairman of Joint Rules. Williamson, who receives $24,675 per year, is assisted by a staff of three. Angelo receives $24,000 per year and supervises a professional staff of five.

The Chief Clerk of the Assembly, James Driscoll, and the Secretary of the Senate, Darryl White, are responsible for supervision of the proceedings of their respective houses and for the records of the Legislature's deliberations. Driscoll receives $25,200 per year and White gets $19,044.

The Sergeant-at-Arms of each house supervises a staff responsible for maintaining order in the houses, security, and miscellaneous other duties. Assembly Sergeant-at-Arms Tony Beard, who has been elected to his post every year since 1956, receives $25,200 per year, and Senate Sergeant-at-Arms Pete Kenealy gets $11,700 per year.

The Consultant's Job

The key staff in the modernized Legislature is the committee consultant. The role of the committee consultant varies from committee to committtee. His minimum responsibility is to brief the committee members on the legislation coming before the committee, describing the background of the issue and the forces at play. Beyond that, he may suggest questions about the measure, offer alternatives, draft amendments, and even argue for or against a bill. In some cases involving extremely complex legislation, the committee is almost wholly dependent on the consultant to assure them the bill does what they intend.

As committee staff has grown, the consultant's job has become more and more administrative. He must spend more of his time directing the work of assistant consultants, interns and researchers from the Office of Research. Sometimes he must also oversee work done for the committee by contract consultants. With the

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advent of annual sessions in 1967, and the subsequent loss of free time between legislative sessions, on top of his increased administrative duties, the consultant finds himself with less and less time during which he can conduct research himself.

The staff role is especially delicate when dealing with lobbyists. Insofar as lobbying is merely the transmission of expert information and the expression of the views of a particular interest group, the staff-lobbyist relationship has become routine. But to the extent that legislators permit staff to negotiate with and between lobbyists or ask them for favors, the relationship is very much a function of the individual legislator.

There is a strong tradition of anonymity which adds greatly to the power of the staff in legislative policy making. Consultants seldom ask the questions at hearings, for example, following the custom that legislators do the talking. There are a number of legislative aides, both personal and committee, who can speak for their boss. But as long as they never say so, and the fiction is maintained that all decisions are made by the legislator, the system works acceptably. In the few instances where an individual staff member has become known as the power behind a throne, it has often diminished his ability to exercise that power. The paradox is that the less people are aware of the influence of the staff, the greater that influence can be.

Longevity and Job Security

It is difficult to assess job security and longevity of service in an institution which is little more than a decade old. In the case of the Legislative Counsel Bureau, civil service provisions are applicable for all but the top positions. These are the only legislative staff positions of which this is true. However, in the case of the Legislative Analyst's and Auditor General's offices, after the first three years, job security becomes just about as great as it would be if they were under civil service.

As far as the consultants and leadership staff of the Senate and Assembly are concerned, the degree of job security is unknown. The myth is that there is little or no job security, and in a literal sense this is true. That is, all legislative staff (with the exception of the attorneys in the Counsel Bureau) serve at the pleasure of the Legislature and may be dismissed or replaced at any time. In practice, however, this is not how it works. Secretarial staff, for instance, which is subject to the same provisions as professionals, may switch from position to position and may move rapidly up and down the salary scale depending on the position they hold, but, except in the rarest of circumstances, their position with the Legislature itself is secure. In short, there sometimes appears to be a greater reluctance to dismiss a person who may be familiar with inside political information than there would be to dismiss an incompetent in civil service.

The same is true of the consulting and leadership staff. The instances where a committee consultant has not been able to hold onto his own or a comparable position during a change in the chairman for whom he is working is the rare exception rather than the rule. In part, certainly, this is testimony to the quality and the non-partisanship of the consultants. However it may also be, in part, a product of the fact that elected officials do not like to say no to anyone. It can be easier politically to promote someone out of the way than to fire him. In the case of leadership staff, rapid rises and falls are the rule, but the rises are always greater than the falls, and the instances of involuntary departure are again rare.

Thus the turnover in legislative staff, and there is plenty of it, is the result, for the most part, of individuals departing for greener pastures than because they were forced out. In part this is a function of an unwritten policy in the Assembly that prefers to hire "bright young men," pay them well considering the stage of their career, and pay them less well as they reach the top of the seniority ladder, thus encouraging them to leave and make room for others who follow. On the Senate side this is less the case; senior staff is paid considerably more there than in the Assembly.

Where do "old consultants" go? Based on a survey of consultants who left the legislature during the last two years, it appears that about equal numbers leave to work for other legislative bodies (mostly the other house of the California Legislature), to join the administration in some capacity, to work in political campaigns, or to enter business (mostly law and consulting). Although very few, surprisingly, leave to accept a position lobbying, at least 11 lobbyists registered this year worked for the Legislature at one time. Six legislators are former staff members.

Where do committee consultants and leadership staff come from besides the internship program? Other major sources have been the Legislative Analyst's Office and the Coro Foundation Internship in Public Affairs. This year a number of administrative assistants have made the jump to the consulting staff, a transition previously discouraged by the legislative leadership. These viously discouraged by the legislative leadership. All together these sources account for about half of the consulting staff.

Role of the New Staff

Before the growth of professional staffing, legislators had only parttime secretarial assistance which they were sometimes able to use to do some of the constituent services currently handled by administrative assistants. In the performance of their lawmaking duties, however, legislators were forced, for the most part, to depend on the executive branch and on lobbyists for information. Skillful senior legislators were able to do their job most of the time by balancing and interpreting these inputs, but as problems became more complex, this became harder, even for them, and junior legislators were at a commensurately greater disadvantage.

Better staffing freed the Legislature from excessive dependence on lobbyists and the administration. It has also wrought a perceptable change in the style of lobbying. While personal friendships still play an important part, lobbyists now expect to have the information they furnish routinely subjected to greater critical scrutiny.

The growth and development of expert, professional staff to assist legislative committees and members in their capacity to design, evaluate, and consider legislation is certainly the most important aspect of legislative improvement in the last two decades. This is not to say that a better legislative product will always, or even most of the time, be the result. But the possibility is there. It is important for the public to know about that possibility, and to take maximum advantage of it.

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those students at school?

Younger: This I don't know. All we did was answer a legal question: Where do these students reside? I don't know what the census does, and I don't really care, because our job was not to decide on any question except where is their legal residence. That is a mixed question of law and fact, it has nothing to do with the census bureau. And that might be all academic anyway. We say that eighteen-year-olds ought to be able to vote and they ought to be adults for all purposes. If that happens, an eighteen-year-old is an adult and his home is wherever he happens to be. So if that passes then it's all academic.

Journal: What do you think of public interest law firms and agencies such as California Rural Legal Assistance in terms of how they are serving the interests of the people of California?

Younger: I like the theory, but in practice you have to talk about a particular firm, a particular location, and a particular lawyer. Just as in any public office you have some good lawyers and some that are not so good, so do you in CRLA, and I don't think that's a very outrageous or surprising conclusion. The theory, of course, is good. I don't think you can quarrel with the theory, but whether or not the employment contract with CRLA and the government has been violated by CRLA, as the Governor says it has, is a matter for the federal government to determine.

Journal: How does this office relate to the rest of the executive branch of government?

Younger: I'm a member of the cabinet, I guess simply because the Governor has invited me to participate and I've been happy to participate. Technically, I suppose, because I'm an elected public official, a constitutional law officer of the state, I'm technically probably not a member of the cabinet. The cabinet, I presume, technically, is a member of the Governor's administrative executive branch. We're happy to participate in cabinet meetings because it is in the public interest we do so. The better the Governor's office and his office work together, the better off the twenty million citizens are.

The Governor turns to us, as he is compelled to do, for legal service from time to time, and we certainly rely heavily on the Governor from the standpoint of support for our budget and personnel problems, and we like to think we're an effective member of the government team and we enjoy a cordial relationship with the Governor. But, by the same token, it's a somewhat independent and formal relationship. When he asks us for an opinion, for example, we give him an opinion as to what we think the law is, not what he wants to hear. If we were a member of his staff, we might be inclined to give the head man the answer he wants. We are under no obligation to do that. We have the same obligation to advise the Governor, for example, as we do Assemblyman Moretti, who's in an entirely different political party.

Journal: But this does have the advantage of being an office which has somewhat less partisan identification as compared with others.

Younger: I wouldn't be phony enough to claim that it didn't. Politically, this is a good job, because if I do a good job, if I bring an action which preserves the state's interest in a major lake or a section of the seashore, for Californians for all times it's a wonderful thing. It's the result of what some of the fine lawyers on my staff do, but when we win the lawsuit we get publicity. We don't have to go out and seek publicity, we get it automatically. Something we do for the consumer, its dramatic.

Journal: Whoever holds this office is, in effect, an "unannounced" candidate for Governor in 1974. Do you think you will be tempted to follow the Brown and Warren examples of using this office as a nonpartisan base for developing statewide support?

Younger: I don't really think it's fair to say that I'm an unannounced candidate for Governor, because I'm not even sure I want to be Governor, number one, and I don't know that it would be possible to be, in the second place. There are several complicating factors. Both Chief Justice Warren and Governor Brown have told me that just from the standpoint of a challenging, exciting job, the best job that each has ever had was the job of Attorney General of California. It may well be. It is a fascinating job.

What I do, depending on how well I do it, is important to every citizen in the state. And it's a heavy responsibility, but an exciting one. I've got a wonderful staff. Some of the finest laywers in the country. So from the standpoint of just liking my job, I whistle going to work.

I'm not gearing up for a campaign for Governor. I'm just trying to be the best Attorney General that I can be and do an outstanding job because, number one, that's my job and number two, it's pretty good politics, too, to actually concentrate on what the state pays me to do. I don't think they're ever going to resent that if at some point I do seek another office.

CORRECTIONS

The order of names was reversed in the list of Senate Democratic votes in the March issue of *California Journal*. Reprinted below is the entire list as corrected.

Democrats — 20	Pro Tem	SB 85	SB 142	SB 204	SCA 1	AB 151
ALQUIST	Y	N	Y	*	Y	Y
BEILENSON	Y	N	*	N	Y	Y
CARRELL	Y	Y	Y	Y	Y	Y
COLLIER	Y	N	*	Y	Y	N
DILLS	Y	Y	*	Y	Y	N
DYMALLY	Y	N	Y	*	Y	Y
GREGORIO	Y	*	Y	*	Y	Y
HOLMDAHL	Y	N	*	Y	Y	*
KENNICK	Y	Y	Y	Y	Y	Y
MILLS	Y	Y	Y	N	Y	Y
MOSCONE	Y	Y	Y	N	Y	Y
PETRIS	Y	*	Y	N	Y	Y
RODDA	Y	*	Y	N	Y	Y
SHORT	Y	*	Y	N	Y	Y
SONG	Y	Y	Y	*	Y	Y
STIERN	Y	Y	Y	Y	Y	*
TEALE	Y	N	Y	N	Y	*
WALSH	Y	Y	*	*	N	*
WEDWORTH	Y	Y	Y	Y	Y	Y
ZENOVICH	Y	Y	Y	*	*	Y

In the March issue of *California Journal*, page 84, the yearly subscription rate for *Pacific Business Bulletin* was incorrectly quoted as $2.50 per year. The correct figure is $5 per year.

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PEOPLE IN THE NEWS

APPOINTED

Clifford R. Anderson, Jr., 43, San Marino attorney and former city councilman, as chairman of the Council on Intergovernmental Relations, by Governor Reagan.

Lawrence C. Baker, 35, former chairman of the Crime Insurance Committee and a member of the Governing Committee of the California Fair Plan, as Chief Deputy Insurance Commissioner, by Governor Reagan.

Gene M. Benedetti, 51, creamery manager and president of a local organization which spurred the recent administrative investigation of Sonoma State College, as a member of the Board of Trustees of the California State Colleges, by Governor Reagan.

Dr. Albert H. Bowker, 51, for the past eight years chancellor of the City University of New York, the third largest institution of higher education in the nation, as Chancellor of the University of California, Berkeley, by the UC Board of Regents.

James L. Flournoy, 55, unsuccessful Republican candidate for Secretary of State in 1970, as a member of the Workmen's Compensation Appeals Board, by Governor Reagan.

Richard Malcolm, 47, city manager of San Marino since 1965, as Deputy Director of the State Department of Social Welfare, by Social Welfare Director Robert B. Carleson.

George W. Milias, 49, former Republican assemblyman from the 22nd District who resigned in 1970 to run, unsuccessfully, for Secretary of State, as Chief of the Division of Labor Law Enforcement in the Department of Industrial Relations, by Governor Reagan.

Howard C. Ullrich, 55, city manager of Redwood City since 1965, as Chief Deputy Director of the Department of Public Works, by State Public Works Director James A. Moe.

Jess Unruh, 49, unsuccessful Democratic candidate for Governor in 1970, former assemblyman from the 65th District, and Speaker of the California Assembly for eight years, as an economic consultant for North American Towns, Inc., a land development firm.

ELECTED

Nathan N. Holden, 41, former systems engineer for Hughes Aircraft Company, as the first black president of the California Democratic Council.

RESIGNED

Dr. James V. Lowry, 57, as Director of the State Department of Hental Hygiene, to work as a mental health consultant. He was appointed director by former Governor Edmund G. Brown in 1964.

Burton E. Smith, 54, as State Real Estate Commissioner to join the Southern California Financial Corporation, a real estate development firm. Smith was appointed commissioner in 1967.

CALIFORNIA CALENDAR

Meetings of the following state boards and commissions are listed each month; if one of these boards is not listed, it can be assumed that it is not scheduled to meet this month. Boards and commissions to be included are: Board of Corrections; Trustees of the California State Colleges; California Community Colleges Board of Governors; Coordinating Council for Higher Education; Board of Education; Highway Commission; Little Hoover Commission; Commission on Housing and Community Development; Lands Commission; Park and Recreation Commission; University of California Board of Regents; and Social Welfare Board.

May 11 — **Senate Judiciary Committee.** Rm. 4203, State Capitol.
9:00 a.m. — special order of business: SB 515 (Beilenson) — Motor Vehicle Financial Responsibility.
3:00 p.m. — regular meeting to include SB 456-463 (Kennick) juvenile court reform package.

May 13 — **Senate Business and Professions Committee.** Rm. 4040, State Capitol. 3:00 p.m. — special order of business: Licensing of Automotive Repair Dealers and Mechanics.

May 13-14 — **State Board of Education.** Auditorium, Resources Bldg., 1416 Ninth St., Sacramento. 9:00 a.m.

May 14 — **State Park and Recreation Commission.** Sonoma Valley Veterans Memorial Bldg., West First St., Sonoma. 9:00 a.m.

May 19-20 — **California Highway Commission.** Redwood City. 10:00 a.m.

May 20 — **Commission of Housing and Community Development.** Rm. 3344, 1121 O St., Sacramento. 1:30 p.m.

May 20-21 — **State Social Welfare Board.** Hilton Hotel, San Francisco International Airport. 5/20 — 7:30 p.m.; 5/21 — 9:00 a.m.
University of California Board of Regents. University Extension Center, San Francisco.

May 25-26 — **Board of Trustees, California State Colleges.** Third Floor Auditorium, Office of the Chancellor, 5670 Wilshire Blvd., Los Angeles. 9:00 a.m.

May 26 — **Little Hoover Commission.** Rm. 130, State Capitol. 9:30 a.m.

May 27 — **State Lands Commission.** Rm. 2170, State Capitol. 10:00 a.m.

June 2 — **Health Review and Program Council.** Hilton Hotel, San Francisco International Airport. 10:00 a.m.

The following boards and commissions follow a standard monthly schedule and thus are not included in the Calendar: Board of Agriculture, first Thursday of each month; Allocation Board, second Tuesday; San Francisco Bay Conservation and Development Commission, first and third Thursdays; Merit Award Board, second Wednesday; Public Works Board, last Monday; Reclamation Board, second and fourth Fridays; Soil Conservation Commission, fourth Tuesday; Transportation Board, first Thursday; California Water Commission, first Friday; and Water Resources Control Board, first and third Thursdays. Please contact the agency for meeting time and place.

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VOTING RECORDS

Listed below are the votes of Senators and Assemblymen on the major roll calls in the Legislature through this month and a brief summary of the issues under consideration. Votes selected for inclusion are on issues of major importance to Californians as a whole or issues on which there is a major division of opinion, or both.

Y—Yes

N—No

*—Absent or Not Voting

⅔ vote required for urgency measures, constitutional amendments, appropriation bills.

Assembly: 41 votes required for passage of bills requiring majority vote.
⅔=54 votes.

Senate: One vacancy.
21 votes required for passage of bills requiring majority vote.
⅔=27 votes.

SENATE

SB 59 (Rodda) — Allows use of current sex education materials in schools without prior parental consent provided reasonable inspection is permitted. Failed 17-16.

SB 144 (Whetmore) — Provides for reimbursement not to exceed $50 per day, in addition to witness' fees, when a material witness is deprived of gainful employment by being held in protective custody. Failed 10-10.

SB 182 (Short) — Permits persons 18 to 21 to be employed as musicians in places serving alcoholic beverages. Failed 18-16.

SB 307 (Nejedly) — Allows any candidate for public office to submit a statement of qualifications to be sent to voters with the sample ballots at the candidate's expense and increases word limit of such statements from 150 to 200. Failed 5-29.

SCA 13 (Alquist) — Requires the Senate by ⅔ vote to confirm Governor's appointments to the University of California Board of Regents. Failed 18-18.

SCA 20 (Cologne) — Provides that juries in misdemeanor cases shall be composed of 6 members; retains 12-member juries in criminal cases. Failed 19-10.

SJR 22 (Dymally) — Ratifies 26th Amendment to the U.S. Constitution lowering the voting age for state and federal elections to 18. Passed 22-12.

AB 447 (Z'berg) — Requires the impaneling of two grand juries — an indicting grand jury and an investigating grand jury — at least once each year in each county. Passed 43-19.

AB 452 (Campbell) — Changes marijuana from statutory classification as a "narcotic" to a "restricted dangerous drug" but specifies that marijuana is to continue to be subject to laws governing narcotics. Passed 49-20.

AB 521 (Wakefield) — Limits prohibition against busing for any reason without written consent of parents to those pupils in grades K through 12. Passed 46-8.

AB 612 (Bagley) — Repeals Wakefield busing law of 1970. Failed 30-28.

AB 620 (Waxman) — Abolishes suit for deficiency balance on motor vehicle conditional sales contract or loan when vehicle is repossessed after default in payments. Passed 41-22.

ACA 7 (Brown) (A) — Lowers voting age to 18 for state elections. Passed 60-9.

ACA 7 (Brown) (B) — Amendments to lower drinking age to 18. Failed 29-37.

ACA 28 (Z'berg) — Requires the selection of two grand juries in each county at least once each year. Failed 46-22.

SJR 22 (Dymally) — Ratifies 26th Amendment to U.S. Constitution lowering the voting age for state and federal elections to 18. Passed 52-14.

Senate

Republicans — 19	SB 59	SB 144	SB 182	SB 307	SCA 13	SCA 20	SJR 22
BEHR	Y	N	N	N	N	N	Y
BRADLEY	N	N	N	N	N	Y	N
BURGENER	N	*	N	*	N	Y	N
CARPENTER	N	*	N	N	N	Y	N
COLOGNE	N	*	N	N	N	Y	Y
COOMBS	N	N	*	N	Y	Y	*
CUSANOVICH	N	*	Y	N	N	Y	N
DEUKMEJIAN	N	*	N	N	N	Y	Y
GRUNSKY	Y	Y	*	N	Y	Y	N
HARMER	N	Y	N	*	N	*	N
LAGOMARSINO	N	Y	N	N	N	Y	N
MARKS	Y	*	Y	N	Y	N	Y
MARLER	N	N	N	N	N	Y	N
NEJEDLY	N	N	N	Y	N	Y	Y
RICHARDSON	N	N	N	N	Y	*	N
SCHRADE	N	Y	*	N	N	*	N
STEVENS	*	*	N	N	N	*	N
WAY	Y	N	N	N	N	Y	Y
WHETMORE	N	Y	Y	N	N	Y	N

Democrats — 20 (1 vacancy)	SB 59	SB 144	SB 182	SB 307	SCA 13	SCA 20	SJR 22
ALQUIST	Y	N	*	Y	Y	*	Y
BEILENSON	•	•	Y	*	N	*	*
CARRELL	Y	*	Y	*	Y	Y	Y
COLLIER	*	Y	Y	N	Y	N	Y
DILLS	Y	Y	Y	N	Y	Y	Y
DYMALLY	*	*	Y	Y	Y	*	Y
GREGORIO	Y	N	Y	Y	Y	Y	Y
HOLMDAHL	N	Y	N	N	Y	Y	Y
KENNICK	Y	*	Y	N	Y	Y	Y
MILLS	Y	Y	N	N	Y	*	*
MOSCONE	Y	Y	Y	*	Y	N	Y
PETRIS	Y	N	Y	N	N	N	Y
RODDA	Y	*	*	N	N	N	Y
SHORT	Y	*	Y	Y	*	*	Y
SONG	Y	*	Y	N	*	Y	Y
STIERN	*	*	N	N	Y	N	Y
TEALE	*	*	Y	N	*	*	*
WALSH	N	*	Y	N	Y	N	*
WEDWORTH	*	*	Y	N	Y	N	Y
ZENOVICH	Y	*	Y	N	Y	N	Y

ASSEMBLY

AB 21 (Burton) — Limits oil and gas depletion allowance to an amount equal to the adjusted cost of the taxpayer's interest in property subject to recovery through

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depletion. Requires ⅔. Failed 41-31.

AB 75 (Dent) — Enacts State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972 to place a $350 million state bond issue on 1972 ballot. Passed 66-0.

AB 109 (Greene, L.) — Authorizes the use of up to $250 million from the sale of bonds provided in AB 75 for replacement of structurally unsafe school facilities. Passed 70-4.

AB 151 (Crown) — Prohibits the construction of the San Francisco southern crossing unless Legislature approves. Vote to override Governor's veto. Failed 44-28.

AB 162 (Cullen) — Requires each state agency to submit copies of its initial annual budget request to the Joint Legislative Budget Committee. Passed 41-29.

AB 171 (Z'berg) — Veterans Bond Act of 1971. Places $250 million bond issue for farm and home purchase aid on 1972 primary ballot. Passed 77-0.

AB 217 (Ralph) — Increases the number of quarterhorse racing weeks in Southern California to a total of 25 by 1974. Passed 64-0.

AB 289 (Fenton) — Permits buyer to cancel a home solicitation sales contract as late as midnight of third calendar day after signing if he has been advised of his right to cancel and is provided with a cancellation form. Otherwise, provides that buyer has right to cancel until seller complies with these requirements. Passed 58-18.

AB 310 (Garcia) — Permits minors 18 to 21 to be employed as musicians in places serving alcoholic beverages. Passed 49-17.

AB 328 (Powers) — Makes certain welfare fraud investigators peace officers. Passed 50-15.

AB 346 (McCarthy) — Increases from $1,000 to $10,000 the amount of reward Governor may offer for information leading to the arrest of an escaped convict or person who has committed a capital crime. Passed 54-6.

AB 372 (McAlister) — Outlaws unsolicited delivery of tobacco products to a person's residence. Passed 41-14.

AB 399 (Schabarum) — Establishes a timetable for the gradual reduction of lead content of gasoline. Passed 59-6.

Assembly

Democrats — 43	AB 21	AB 75	AB 109	AB 151	AB 162	AB 171	AB 217	AB 289	AB 310	AB 328	AB 346	AB 372	AB 399	AB 447	AB 452	AB 521	AB 612	AB 620	ACA 7(A)	ACA 7(B)	ACA 28	SJR 22
BEE	Y	Y	Y	*	Y	*	Y	*	Y	*	Y	*	Y	Y	*	Y	*	Y	Y	*	Y	Y
BRATHWAITE	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	Y	Y	Y	Y	*	*	*	Y	N	Y	*
BROWN	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	*	Y	Y	*	N	Y	*	Y	N	Y	Y
BURTON	Y	*	*	Y	Y	Y	*	Y	Y	*	*	*	Y	Y	Y	N	*	Y	Y	N	Y	*
CHACON	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	Y	Y	Y	Y	*	Y	Y	Y	N	Y	Y
CORY	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	Y	Y	Y	N	Y	Y
CROWN	Y	Y	Y	Y	Y	Y	Y	N	Y	*	Y	*	Y	Y	Y	*	Y	Y	Y	N	Y	Y
CULLEN	*	Y	Y	Y	Y	Y	Y	Y	Y	*	*	Y	Y	Y	Y	N	N	Y	Y	N	Y	Y
DAVIS	Y	*	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	*	N	Y	*	Y	Y	N	Y	*
DEDDEH	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	*	Y	Y	N	Y	*
DUNLAP	Y	*	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y
FENTON	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	*	Y	Y	N	Y	Y
FONG	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	*	*	*	Y	Y	Y	*	Y	*	*	Y
FORAN	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	*	Y	Y	Y	*	Y
GARCIA	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	*	Y	Y	Y	N	Y	Y	N	Y	Y
GONSALVES	Y	Y	Y	Y	Y	Y	*	Y	Y	*	*	Y	Y	N	*	Y	*	*	Y	N	N	Y
GREENE, B.	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	*	Y	Y	N	*	Y	Y	N	Y	*
GREENE, L.	Y	Y	Y	Y	Y	Y	*	*	Y	*	Y	*	*	Y	*	Y	*	Y	*	*	Y	Y
JOHNSON, H.	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	N	*	Y	Y	N	Y	Y
KARABIAN	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	Y	Y	*	Y	Y
KEYSOR	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	Y	*	Y	Y	Y	*	Y	Y	*	Y	Y
KNOX	Y	Y	*	Y	Y	Y	Y	N	Y	N	Y	*	Y	Y	Y	*	*	Y	Y	N	Y	*
LaCOSTE	*	Y	Y	*	*	Y	N	Y	*	Y	Y	Y	Y	Y	N	*	Y	*	Y	N	Y	Y
MacDONALD	Y	*	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	*	Y	N	Y	Y	Y
McALISTER	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
McCARTHY	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	Y	Y	Y	Y	Y	N	*	Y
MEADE	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	*	*	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
MILLER	Y	*	*	Y	Y	Y	*	Y	Y	N	Y	N	Y	N	Y	*	Y	Y	Y	N	Y	Y
MORETTI	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	*	Y	Y	*	Y	Y	Y	Y	N	Y	Y
PIERSON	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
PORTER	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	Y
POWERS	Y	Y	Y	Y	Y	Y	*	N	*	Y	*	N	Y	Y	N	*	Y	Y	Y	*	Y	Y
QUIMBY	Y	*	Y	Y	Y	Y	Y	Y	*	*	Y	*	*	*	Y	*	*	Y	Y	N	*	Y
RALPH	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	*	*	Y	*	Y	N	Y	Y	Y	N	Y	Y
ROBERTI	Y	Y	Y	Y	Y	*	Y	*	*	*	Y	N	Y	Y	*	*	Y	Y	Y	N	Y	Y
RYAN	Y	*	Y	Y	Y	Y	Y	Y	*	N	N	*	*	*	Y	*	Y	*	*	*	*	Y
SIEROTY	Y	Y	*	Y	Y	Y	*	Y	Y	N	Y	Y	Y	Y	Y	*	Y	Y	Y	N	Y	Y
THOMAS	*	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	*	N	Y	*	N	Y	Y
TOWNSEND	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	*	*	Y	Y	Y	Y	Y	N	*	Y
VASCONCELLOS	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	*	*	*	Y	*	Y	Y	Y	N	*	Y
WARREN	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y
WAXMAN	*	*	*	*	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y
Z'BERG	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	*	Y	N	Y	Y

Republicans — 37	AB 21	AB 75	AB 109	AB 151	AB 162	AB 171	AB 217	AB 289	AB 310	AB 328	AB 346	AB 372	AB 399	AB 447	AB 452	AB 521	AB 612	AB 620	ACA 7(A)	ACA 7(B)	ACA 28	SJR 22
ARNETT	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	N	Y	Y	Y	Y
BADHAM	N	*	N	N	N	*	N	*	*	*	*	*	Y	N	*	*	*	N	N	Y	*	*
BAGLEY	*	Y	Y	*	*	Y	Y	Y	Y	Y	Y	*	*	*	Y	*	Y	*	Y	Y	*	Y
BARNES	N	Y	Y	*	*	Y	Y	Y	N	Y	Y	Y	*	*	N	Y	N	Y	Y	N	*	N
BELOTTI	N	Y	Y	N	N	Y	Y	Y	N	Y	Y	Y	*	*	N	Y	N	Y	N	Y	Y	N
BEVERLY	N	Y	Y	N	*	Y	*	Y	*	Y	*	N	Y	N	Y	*	*	*	*	*	N	*
BIDDLE	N	Y	Y	N	N	Y	N	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	Y	Y
BRIGGS	N	Y	Y	N	*	Y	Y	Y	*	Y	Y	N	Y	N	*	*	N	*	Y	Y	N	*
BURKE	N	Y	Y	N	N	Y	N	Y	N	Y	*	Y	N	N	Y	N	N	N	Y	Y	N	N
CAMPBELL	N	Y	Y	N	N	Y	Y	N	Y	Y	Y	Y	Y	N	Y	*	N	*	*	*	N	Y
CHAPPIE	*	*	*	*	N	Y	*	N	Y	Y	*	*	Y	Y	Y	Y	*	*	*	Y	Y	Y
CLINE	N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N	Y	Y	N	Y
COLLIER	N	*	Y	N	N	Y	N	Y	N	Y	*	Y	Y	N	N	Y	N	N	N	Y	N	N
CONRAD	N	Y	*	N	*	Y	*	Y	N	Y	Y	Y	Y	N	Y	Y	N	*	N	Y	N	N
DENT	N	Y	Y	N	N	Y	*	Y	N	Y	*	N	N	Y	Y	*	Y	N	Y	Y	Y	Y
DUFFY	N	Y	Y	N	N	Y	*	N	Y	Y	Y	Y	N	*	Y	*	N	*	*	Y	Y	Y
HAYDEN	N	Y	Y	Y	N	Y	N	Y	N	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y	N	Y
HAYES	N	Y	Y	N	N	Y	Y	Y	*	Y	Y	Y	Y	N	N	Y	*	N	Y	Y	N	*
JOHNSON, R.	N	*	Y	N	*	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	N
KETCHUM	N	Y	N	Y	N	Y	N	N	Y	Y	Y	N	N	N	N	Y	N	N	N	Y	N	N
LANTERMAN	N	Y	Y	N	N	Y	N	Y	N	Y	Y	Y	Y	*	N	Y	*	Y	Y	Y	N	*
LEWIS	*	Y	Y	*	N	Y	N	N	N	Y	N	N	Y	*	*	*	Y	*	Y	Y	*	N
MacGILLIVRAY	N	Y	Y	N	N	Y	Y	N	Y	*	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	N
MADDY	*	Y	Y	*	N	Y	*	N	Y	Y	*	N	Y	N	Y	Y	N	Y	N	Y	Y	Y
MOBLEY	N	*	Y	N	*	Y	*	Y	Y	Y	*	*	N	Y	N	Y	*	N	*	*	Y	*
MONAGAN	N	Y	Y	N	*	Y	Y	N	*	Y	*	*	*	*	Y	*	*	*	Y	Y	*	*
MOORHEAD	N	Y	Y	N	N	Y	N	N	N	Y	Y	Y	Y	*	N	Y	N	N	Y	Y	N	N
MURPHY	Y	Y	Y	N	N	Y	N	N	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y	Y	N	Y
PRIOLO	Y	Y	Y	N	N	Y	Y	Y	Y	*	Y	N	Y	N	N	Y	N	N	Y	Y	N	N
RUSSELL	N	Y	Y	N	N	Y	N	Y	*	N	Y	Y	Y	N	Y	Y	N	N	*	*	N	N
SCHABARUM	N	Y	Y	N	N	Y	N	Y	N	N	Y	*	Y	Y	Y	Y	N	N	Y	Y	N	Y
SEELEY	N	Y	Y	N	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	N	*	*	N	*
STACEY	N	*	N	N	N	Y	*	N	Y	Y	Y	N	N	*	*	Y	N	N	Y	*	N	N
STULL	N	Y	Y	N	N	Y	Y	N	N	Y	*	N	Y	N	N	Y	N	N	N	Y	N	N
WAKEFIELD	N	Y	N	N	N	Y	N	N	N	Y	N	Y	Y	N	N	Y	N	N	Y	N	N	N
WILSON	N	Y	Y	N	N	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	*	*	*	Y	Y	Y	Y
WOOD	N	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N	Y	Y	N	Y

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California Journal / *NEWSBRIEFS*

California Becomes 20th State to Ratify 18-year Vote Amendment

California became the twentieth state to ratify the proposed amendment to the United States Constitution reducing the voting age to 18 in all elections. Final action came on a 25-10 Senate vote on technical amendments to a resolution by Senator Mervyn M. Dymally of Los Angeles.

Ratification by 18 more states is required to extend to 18- to 20-year-olds the franchise in all elections, a right they won from Congress last year for federal elections *(California Journal, March 1971, page 69)*.

Two proposed amendments to California's constitution to reduce the voting age to 18 are still pending before the Legislature, and one of them might still be placed on the ballot at a special election next year if it appears that ratification of the 26th Amendment to the U.S. Constitution will not occur prior to the 1972 presidential election. Additionally, several legislative proposals are pending which set 18 as the legal age of majority.

If eighteen additional states ratify the proposed 26th Amendment before September 28, the action would break the record of six months and six days set in 1804 with ratification of the 12th Amendment, which provided separate balloting for President and Vice President.

Common Cause Launches State Voters' Rights Project

John W. Gardner, Chairman of Common Cause, was in Sacramento this month meeting legislative leaders to discuss the organization's California Voters' Rights and Registration Project. Gardner focused his attention on the voting rights aspect of the project, which is part of a nationwide Common Cause effort to lobby state governments to liberalize their registration laws.

The major reform sought in California is to establish a uniform residency requirement of 30 days in place of varying county and precinct requirements. A constitutional amendment to accomplish this objective has already passed the Senate and is pending in the Assembly. It has the support of the Democratic leadership, but Republican backing is also necessary if it is to receive the required two-thirds vote.

City Redistricting Ordered By California Supreme Court

Local election districts must meet one-man, one-vote standards, the California Supreme Court ruled in March. One-man, one-vote means that the total population, not just registered voters, must be used as the basis for districting a city for election of councilmen, the court proclaimed. The decision voided a section of the Los Angeles City Charter which apportioned districts according to the number of voters and permitted 10 percent deviations in district size.

The Los Angeles districts contained "grossly unequal" numbers of people as a result of voter-based apportionment, the court said. When the largest and the smallest districts were compared with each other, the court found that the largest has nearly 70 percent more people than the smallest.

Reagan Veto Of "Southern Crossing" Ban Brings Legislative Challenge

Expressing concern that legislators who gave overwhelming support to AB 151 by Assemblyman Robert Crown of Alameda were not speaking for the people of the Bay Area, Governor Reagan exercised his veto power to send it back to the Legislature unsigned. The bill prohibits construction of the proposed $300 million Southern Crossing bridge over San Francisco Bay without permission of the Legislature.

Despite strong opposition to the veto, the first attempt by Crown to challenge it fell 10 short of the two-thirds required to override. Only four of the original 24 Republicans who supported the bill voted to override the veto. Reagan denied he was exerting pressure on Republican Assemblymen and said he was not afraid of sustaining his first override: "I almost think I ought to pick one of those motherhood bills and veto it just so we can get this over with (the first veto override). It is like waiting for the other shoe to fall."

In line with his veto argument, Reagan has ordered a six-month freeze on construction of the bridge to give the Legislature time to submit the question to voters in the Bay Area as to whether they want the bridge or not. Crown indicted he will make another attempt to override before resorting to the June 1972 plebiscite which the Governor called for.

State, Counties Dispute Costs of Reagan Welfare Reform Plan

When the Reagan Administration introduced its welfare reform plan it anticipated that some counties would question the program and the fiscal estimates.

What may have come as a surprise is that the fiscal issue, rather than the policy direction, is emerging as the number one problem for the counties. On April 16 one more county, Santa Clara, reported that the Reagan proposals would cost the county taxpayers an additional $4 million to $5 million. Howard Campen, the County Administrative Officer, said the Reagan program badly underestimates the county's AFDC caseload. However, the administration still firmly believes its cost and savings estimates are correct. State welfare officials point out that some major counties are projecting their AFDC unemployed father program on a "straightline basis" rather than using a "sinewave curve" which allows for the "peaks and valleys" in unemployment rates (high unemployment in the winter, lower unemployment in the summer).

Although both the state and counties are attempting to work out their differences, the fiscal issue is a long way from resolution.

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State Refuses to "Participate" In Federal Probe of CRLA

The State of California has told a special federal investivating commission that it will not "participate" in public hearings into state charges against California Rural Legal Assistance. The commission, made up of three state supreme court justices from Colorado, Wisconsin, and Maine, was set up by Frank Carlucci, Director of the Federal Office of Economic Opportunity, following Governor Reagan's veto of $1.8 million in 1971 funding for CRLA.

The subject of the investigation is the series of charges contained in a report prepared by state OEO director Lewis K. Uhler, upon which Reagan based his veto. Uhler's 283-page report says that CRLA has violated its contract in a number of instances, has failed to give effective legal aid to the poor, and has committed other wrongful acts. The purpose of the investigation is to determine the accuracy of the charges and to assist Carlucci in deciding whether CRLA should continue to receive public funds. CRLA is now operating on temporary funding which runs out June 30.

Uhler told the commission at its first hearing that the state "cannot perform or participate," (that is, present its own case against CRLA), in the manner directed by the commission. In explanation, Uhler was quoted as saying, "Our case is quite substantial. What is the point of retracing a report on which a veto has been sustained?"

Although CRLA has begun to present its case rebutting the state's charges, the basis for continuing the hearings is now very uncertain. In a press conference on April 27, Governor Reagan backed Uhler and contended the commission was not taking the right approach. "They were to go into the field and investivate CRLA and if they are unwilling to do that they ought to resign," he said.

State Employes' Salary Issue Divides Governor, Legislature

The California State Employees Association held its Annual Institute on Government in Sacramento this month and heard legislative leaders pledge their support for a pay hike for state workers. They also heard Governor Reagan say that his decision not to propose a salary increase was forced by the "financial squeeze" facing the state and "does not mean that I think our hard-working civil servants are undeserving of a raise."

Reagan did propose a 20% increase in pension benefits for most state employees, coupled with a lowering of the retirement age. The Governor said this was possible because unanticipated earnings for the Public Employees Retirement Fund present "a one-time opportunity to accomplish a deserved improvement of retirement benefits."

Assembly Speaker Bob Moretti predicted the Legislature will increase state employee salaries despite the Governor's objections and promised his support for a minimum 6% cost-of-living wage increase. Senate President pro Tem James Mills also gave his support to a pay increase, saying, "I do not think that state employees should have to subsidize the budget by working for inadequate salaries."

U.S. Supreme Court Rules Public Housing Vote Is Constitutional

In a split 5-3 decision, the U.S. Supreme Court upheld as constitutional a section of the California Constitution which requires local governing bodies to obtain approval from a majority of the local voters before acting to acquire, develop, or construct public housing projects for low-income families. The case originated as a class action on behalf of persons who are eligible to receive the benefits of public housing in Santa Clara County *(California Journal*, September 1970, p. 271).

The decision of the majority did not agree with plaintiff's contention that the public vote requirement of the California Constitution "discriminates" against low-income famiiles by imposing a "special burden" which is not imposed on other economic groups.

ABC Rule on Nude Shows Found Unconstitutional

A three judge federal court has held in a 2-1 decision that live or pictorial nude entertainment is a constitutionally protected form of expression and therefore not grounds for the Alcoholic Beverage Control Department to take away a bar's liquor license. The majority opinion, written by U.S. District Judge Warren J. Ferguson, noted that the California Supreme Court had in effect ruled on the issue in 1967 but that neither the ABC nor the lower state courts had been willing to follow that ruling.

The latest decision did not deal with ABC rules prohibiting topless waitresses, requiring that some forms of nude entertainment be performed only on a stage, or prohibiting entertainment which violates local ordinances. The plaintiffs earlier had dropped their challenges of these rules.

Regents Consider Revised UC Growth Plan

The Regents of the University of California, meeting April 15-16 in Los Angeles, began what is likely to be several months of discussion of a revised growth plan for the University. The new plan, which reflects sharp reductions in the projected population growth for the state, a dwindling demand for Ph.D.'s, and the current shortage of capital outlay funds, represents a substantial cutback from the previous plan

The most recent draft of the new plan prepared by the University administration projects a maximum total enrollment of 140,000 students in 1985, as compared with an earlier projection of 250,000. Graduate and professional enrollment is to be held to about 25 percent of total enrollment, as compared with the previous target figure of 50 percent and the current level of about 30 percent. Plans for several new campuses have been dropped, as have expectations that the Davis, Irvine, Riverside, Santa Barbara, Santa Cruz, and San Diego campuses would eventually become comprehensive "general campuses" with the scope and depth of Berkeley and UCLA.

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Selected State Government Reports

CONSUMER AFFAIRS

Property Insurance in the Ghetto — Separate and Unequal. Senate Subcommittee on Human Needs and Resources. April 1971, 127 pages. Documents problems of ghetto residents in obtaining insurance on their homes, and recommends solutions, including legislative action.

Who Protects the Borrowers? A Report on Mortgage Loan Brokers, Necessitous Borrowers, and the Operation of the California Mortgage Loan Brokers Law 1955-1969. Senate Subcommittee on Human Needs and Resources. February 1971, 65 pages. Describes various abuses and recommends broadening the Mortgage Loan Broker Act, with suggestions for stricter enforcement.

CRIME AND PENOLOGY

By the Standard of His Rehabilitation: Information, Decision, and Outcome in Terminations from Parole; The Implementation of Penal Code Section 2943. Research Division, Department of Corrections, 714 P St., Sacramento 95814. January 1971, 129 pages.

The California Criminal Justice System. California Council on Criminal Justice, 1108 14th St., Sacramento 95814. 1971, 150 pages. A systematic description of the state's resources for combatting crime.

Education in Criminal Justice; by Richard A. Myren, Consultant. Coordinating Council on Higher Education, 1020 12th St., Sacramento 95814. March 1971, various pagings. An analysis of criminal justice studies, citing manpower and education requirements, research needs and resources, and community college, state college and University programs in this field, with 28 recommendations.

ROSTERS AND DIRECTORIES

California Community Colleges Directory, 1971. Office of the Chancellor, California Community Colleges, 825 15th St., Sacramento 95814. Names and addresses of all community colleges and districts in California.

Legislative Biographical Supplement. "The California State Employee," CSEA Bldg., 1108 "O" St., Sacramento 95814. January 29, 1971 issue. Capsule biography and picture of 1971 legislators.

1970 California Roster of Federal, State, County and City Officials. Compiled by Office of Secretary of State. Write Office of Procurement, Documents Section, P.O. Box 20191, Sacramento 95820. ($2 ea.) Roster of all state and city officials, boards and commissions.

State of California Telephone Directory. State of California, Documents Section, P.O. Box 20191, Sacramento 95820. ($1.50 ea.) Telephone directory for all state employees.

A Synopsis of the Preliminary Draft of the 1971 Comprehensive Criminal Justice Plan for the San Francisco Bay Region. Office of Criminal Justice Planning, Association of Bay Area Governments, Hotel Claremont, Berkeley 94705. February 1971, 486 pages.

EDUCATION

Guidelines for Increasing Efficiency in Graduate Education. Coordinating Council for Higher Education, 1020 12th St., Sacramento 95814. March 1971, various pagings. A study of ways to improve graduate education without increasing state costs. Also suggests possible increases in efficiency as a result of increased state funding.

Higher Cost Programs in California Public Higher Education. Coordinating Council for Higher Education, 1020 12th St., Sacramento 95814. March 1971, various pagings. A study of highly expensive, specialized, limited use academic programs and facilities with recommendations.

Inventory and Utilization Study for Public Higher Education. Coordinating Council on Higher Education, 1020 12th St., Sacramento 95814. March 1971, various pagings. A comprehensive review and re-evaluation of the space and utilization standards for classrooms and class laboratories in California public higher education.

Politics and Problems in California Higher Education. The Performance and Possibilities of the Master Plan, 1960-1970; by Donald D. Disler. Institute of Governmental Affairs, University of California, Davis 95616. 1971, 32 pages. ($1.50 paperbound. Make check payable to Regents of the University of California). A summary of recent issues and events with some conclusions about the future of the Master Plan and higher education in general.

ENVIRONMENT

Air Pollution in the San Francisco Bay Area; Final Report. Stanford Workshop on Air Pollution, Ecology Center Press, 1360 Howard St., San Francisco 94103. ($5 ea.) 1970, 380 pages. Reports on: sources of air pollution; the automobile and air pollution; individual plants in the Bay Area; Bay Area air pollution control district; and the public and air pollution.

Environmental Quality Study Council Progress Report. Environmental Quality Study Council, 1400 10th St., Sacramento 95814. February 1971, 22 pages + appendices. Second progress report of the council, covering activities during 1970, with recommendations for 1971 legislative action.

Report Relative to Environmentally Harmful Materials. Department of Agriculture, 1220 N St., Sacramento 95814. March 1971, 6 pages + appendices. Annual report discussing extent to which environmentally harmful materials are used, control exercised, pro-

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grams leading to elimination of such materials, and progress in improving conditions of the environment in relation to use of such materials.

Report Relative to Noise Pollution. Department of Public Health, 2151 Berkeley Way, Berkeley 94704. March 1971, 39 pages. Identifies sources of noise pollution and recommends means to control harmful effects of noise, including recommended standards of noise level emission. Recommends establishment of an office of noise abatement at the state level.

Report Relative to Pesticide Wastes. Department of Agriculture, 1220 N St., Sacramento 95814. March 1971, 9 pages. An analysis of the problem, pointing up need for thorough research on toxic waste disposal systems and several proposals for regulation of such disposal.

Report on the Activities of the Department of Water Resources to Decembr 31, 1970 in Administratieon of th Davis-Grunsky Act. Department of Water Resources, Resources Bldg., 1416 9th St., Sacramento 95814. January 1971, 70 pages. A summary of activities of DWR in administering financial assistance for local water projects.

Water and Waste Management Plan and Program. California Regional Area Planning Commission. Suite 622, 926 J Bldg., Sacramento 95814. October 1970, 92 pages.

HEALTH AND WELFARE

A Report on Statewide Conference on Alcohol Education and Prevention; prepared by Leona M. Kent. Department of Rehabilitation, 714 P St., Sacramento 95814. 1970, 58 pages. Proceedings of a conference held in Sacramento, June 24-25, 1970.

Day Care Nightmare: A Child Centered View of Child Care; by Patricia Gerald Bourne and others. Institute of Urban and Regional Development, University of California, Berkeley 94704. February 1971, 92 pages.

Development of Pilot Food Progams. Department of Social Welfare, 744 P St., Sacramento 95814. January 1971, 4 pages. A progress report on two projects testing the merits of the Meals on Wheels program including a cost-benefit analysis of the food delivery program.

Five Year State Plan for Community Mental Health Services. Department of Mental Hygiene, 744 P St., Sacramento 95814. March 1971, 45 pages. A A consensus of current principles and goals conducive to improved mental health services to citizens of the state, with an outline of mechanisms that could be used to achieve such goals.

Health for the Harvesters. State Department of Public Health, 2151 Berkeley Way, Berkeley 94704. April 1971, 32 pages. Describes the health problems of migrant workers and progress that has been made under the Farm Workers Health Service Program.

When Governors Change: The Case of Medi-Cal; by Guenther Kress. Institute of Governmental Affairs, University of California, Davis 95616. April 1971, 75 pages. ($1.50 paperbound. Make checks payable to the Regents of the University of California). One of a series on the administrative changeover from Governor Edmund G. Brown to Governor Reagan.

MISCELLANEOUS

A Study and Evaluation of California Rural Legal Assistance, Inc. Office of Economic Opportunity, 800 Capitol Mall, Sacramento 95814. 1971, 283 pages with separate 17 page summary. The evaluation of the CRLA upon which Governor Reagan based his veto of CRLA funds.

A Study of the Manpower Implications of Small Business Financing. Oakland Small Business Development Center, Oakland, Calif. 1970, 181 pages. A survey of 149 minority and 202 white-owned small businesses in Oakland.

Economic Report of the Governor, 1971. Governor's Office. March 1971, 120 pages. A description of the major economic developments of 1970 and the outlook for 1971 with a special chapter devoted to a review of manufacturing industries in the state.

Horseracing in California. California Horse Racing Board, Rm. 417, 205 S. Broadway, Los Angeles 90012. December 1970, 10 pages. Annual Report of operation for year ended December 31, 1970.

Property Insurance for California School Districts; by Warren, McVeigh and Associates. Office of the Legislative Analyst. December 1970, 59 pages. Reviews problem of rising cost of property insurance to school and college districts and recommends creation of a central state fund for treating all risks of property loss to school districts.

Public Transit in California. Senate Select Committee on Rapid Transit. January 1971, 85 pages. Report outlines a series of comprehensive recommendations on the subject of public transit in California including need for preparation of a master plan for balanced transportation.

Recommendation Relating to Attachment, Garnishment, and Exemptions from Execution. California Law Revision Commission, School of Law, Stanford University, Stanford 94305. Report and recommendation relating to discharge from employment because of wage garnishment.

Retirement Systems Funding. Assembly Public Employment and Retirement Committee. November 1970, 85 pages. Transcript of hearing.

1970 Annual Report. Assembly Science and Technology Advisory Council, Rm. 436, State Capitol, Sacramento 95814. January 1971, 15 pages. A first year summary of the progress and activities of the council, established to improve the flow of information between the scientific community and the Legislature, with five recommendations.

Unless otherwise indicated, reports may be obtained by writing the appropriate committee or agency, c/o State Capitol, Sacramento, California 95814. Orders payable by check or money order only.

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When the rich assemble to concern themselves with the business of the poor it is called charity. When the poor assemble to concern themselves with the business of the rich it is called anarchy.

– Paul Richard

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